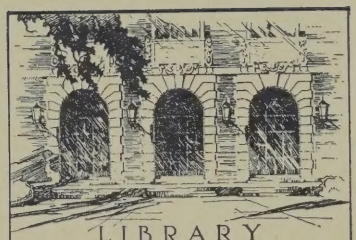

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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, APRIL 14, 1953. No. 27.

SENATE

TUESDAY, April 14, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. PAUL S. MONTGOMERY, Pastor of the First Presbyterian Church, Aspinwall, offered the following prayer:

O Gracious God, our Father, Thou Who are infinite in wisdom and understanding, Thou Who are great in power and in might, help us to know that Thou art not a God to be worshiped afar off, but Thou are near, as near as our deepest needs.

We pray now on behalf of these men who form the Senate of this great Commonwealth, that Thou wilt bless them and direct them in all their deliberations in this Session; that Thou wilt give to them Thy most gracious favor and further them with Thy continued help, that in all things they may seek to glorify Thy Name and to advance to the best interests the people of this geat Commonwealth, through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. TAYLOR, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. Mahany asked and obtained leave of absence for Mr. SNOWDEN, due to illness.

He also asked and obtained leave of absence for Mr. KEPHART, due to illness.

He also asked and obtained leave of absence for Mr. CROWE, due to illness.

STUDENTS FROM SCHWENKSVILLE HIGH SCHOOL PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of some distinguished visitors today, first among whom is a group of students from the Schwenksville High School, who are visiting both the House and the Senate as guests of the five Members of the House, from Montgomery County, and the Senator from Montgomery County.

The CHAIR invites them to rise in place at this time and take a bow.

STUDENTS FROM WEST READING HIGH SCHOOL PRESENTED TO SENATE

The PRESIDENT. The Chair is also pleased to note the presence of a group of ninth and tenth grade students, from the West Reading High School. These students are the guests of Senator Ruth, and they are here under the leadership, shall I say, or tutelage of Mr. John Shalter, Mrs. Mary E. Gresh, Mr. Richard Koch and Miss Dorothy Gantz.

Will they please rise in place and take a bow?

MEMBERS OF COUNCIL OF REPUBLICAN WOMEN OF BUCKS COUNTY PRESENTED TO SENATE

The PRESIDENT. Also present in the Senate Chamber today are the members of the Council of Republican Women of Bucks County, seated to the left, who are the guests of Senator Watson.

The Chair requests that they please rise in place and take a bow.

W. DENIS KENDALL, FORMER MEMBER OF BRITISH PARLIAMENT, HOUSE OF COMMONS, PRESENTED TO SENATE

The PRESIDENT. In the several years that I have been in the General Assembly, I do not recall having seen present, in either the House or the Senate Chambers, a former Member of the House of Commons in England. We are honored today with presence of Mr. W. Denis Kendall, a former Member of the British Parliament, House of Commons.

Will Mr. Kendall please rise in place and take a bow?

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nomiations.

MEMBER OF BOARD OF TRUSTEES, EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. John McK. Mitchell, Dean, School of Medicine, University of Pennsylvania, Philadelphia, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, to serve until August 1, 1953, and until his successor shall have been appointed and qualified, vice Hon. Harold E. Stassen, Philadelphia, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Pauline R. Stewart, Cresson, Cambria County, for appointments as Justice of the Peace in and for the Township of Munster, Cambria County, until the first Monday of January 1956, vice Francis Heiss, resigned.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 14, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appontment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Mrs. Ethel B. McKean, Fox Chapel, Pittsburgh (15).

BEDFORD COUNTY

Mrs. Rebecca M. Taylor, Bedford.

BLAIR COUNTY

Miss Gertrude M. Ehrisman, Snyder Twp., Tyrone.
Mrs. Mary J. Mayer, Altoona.

BRADFORD COUNTY

Miss Emily Campbell, Athens.
Mrs. Ruth L. Kjelgaard, Athens.

DELAWARE COUNTY

Mrs. Mytrle L. Rice, Sharon Hill.

LUZERNE COUNTY

Joseph Tomielowicz, Newport Twp., Glen Lyon.
Miss Katherine Trainor, Wilkes-Barre.

PHILADELPHIA COUNTY

Leonard Borofsky, 158 North 20th St. (3).
Nicholas J. Caggiano, 2248 E. Ontario St. (34).
Robert McElhinney, 616 Bulletin Bldg. (7).
Charles J. McGinn, Jr., 9734 Bustleton Av. (15).
Miss Ruth C. Platt, 2700 Passyunk Ave. (45).
John W. Reeding, 5113 Springfield Ave. (43).
Mrs. Emma A. Rothmeyer, 3701 North Broad St. (40).

YORK COUNTY

Robert J. Storm, Hanover.

To compute from the dates set opposite their names

ALLEGHENY COUNTY

Mrs. Emma C. Wright, West View, Pgh., (29), 4-16-53.

PHILADELPHIA COUNTY

Archie B. Love, 1608-20 Ludlow St., 4-23-53.

LUZERNE COUNTY

Mrs. Mary M. Rettenmyer, Ashley, 4-25-53.

CARBON COUNTY

Frank Lench, Banks Twp., Tresckow, 4-26-53.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 13, 1953.

Resolved, (if the House Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 20, 1953 at four o'clock p. m., E. S. T., and when the House of Representatives adjourns this week

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it reconvenes on Monday, April 20, 1953 at four-thirty o'clock p. m., E. S. T.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 10, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by permitting electors who have changed their residence from one election district to another during a certain period to vote in the election district in which they are registered with certain exceptions

Which was committed to the Committee on Elections.

House Bill No. 307, entitled:

An Act making a deficiency appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses

Which was committed to the Committee on Appropriations.

House Bill No. 381, entitled:

An Act to amend section 911 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by enlarging the authority of boroughs and townships to participate in the widening of State highways

Which was committed to the Committee on Highways.

House Bill No. 382, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing township supervisors to widen or straighten State highways and to make a plan of the Department of Highways the official plan of a township

Which was committed to the Committee on Highways.

LEAGUE OF WOMEN VOTERS FROM LANCASTER COUNTY PRESENTED TO SENATE

The PRESIDENT. The Chair would like to direct the attention of the Senate to the presence of some distinguished visitors in the gallery. These visitors are a group of ladies representing the League of Women Voters, headed by Miss Susan Baker, and they are from Lancaster County.

Will they please rise in place and take a bow?

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Penna., January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

Alvin R. Guyler, Pittsburgh, from October 2, 1952, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES, PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Pennhurst State School, for terms of four years, and until their successors are qualified:

Mrs. Alice R. E. Post, 135 Walnut Avenue, Wayne, Delaware County.

Daniel R. Goodwin, R. D. No. 1, West Chester, Chester County.

JOHN S. FINE.

MEMBER OF UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30 ,1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Francis G. Faint (Republican), Stein's Lane, Lewisburg, Union County, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Esther G. Sauvain, Lewisburg, whose term expired.

JOHN S. FINE.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary General, reported as committed, House Bill No. 47, entitled:

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 324, entitled:

An Act relating to support of dependents; providing a procedure for enforcement thereof, including attachment of property and earnings; conferring powers and imposing duties upon courts, district attorneys and probation officers.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 325, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

He also, from the Committee on Judiciary General, reported as committe, Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

Mr. FLEMING, from the Committee on Local Government, reported as committed, Senate Bill No. 435, entitled:

An Act to add section 308 to the act, approved the first day of May, one thousand nine hundred thirty three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township.

He also, from the Committee on Local Government, reported as committeed, House Bill No. 485, entitled:

An Act to amend the title and reenact and further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by incorporating all past amendments and authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day.

He also, from the Committee on Local Government, reported as committed, House Bill No. 917, entitled:

An Act to add Section 6.1 to the act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first clss the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" by providing for emergency amendments.

BILLS INTRODUCED AND REFERRED

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 474, entitled:

An Act to further amend Section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

Which was committed to the Committee on Public Health and Welfare.

Mr. PEELOR (By request) read in his place and presented to the Chair Senate Bill No. 475, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

Which was committeed to the Committee on Judiciary General.

Messrs. STEVENSON, MALLERY and LANE read in place and presented to the Chair Senate Bill No. 476, entitled:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled, "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further classifying real estate for the purpose of taxation.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 477, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borought, town, township, school and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by further regulating the assessment and valuation of property for local taxation purposes; further defining the duties of subordinate assessors and the board, changing the time for the prepration and inspection of the assessment roll and duplicate assessment roll, notice of appeal and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables; making improvements on land and grantees of land and prescribing penalties.

Which was committed to the Committee on Local Government.

Messrs. DENT and MAHANY read in place and presented to the Chair Senate Bill No. 478, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcohol liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatment of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by requiring a service charge to be collected on bottled wine purchased by the board.

Which was committeed to the Committee on Law and Order.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings of the United States Government, and of copies thereof, and extracts therefrom, and certificates in reference thereto," by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates, fares, and charges, and supplements thereto, filed with the Interstate Commerce Commission.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, this bill results from the study of the Governor's Committee on Child Welfare. They have been working for the past two years on this subject, and this bill embodies their recommendations.

Mr. President, this bill was prepared by the Attorney General's office, which, as we all know, has been overloaded with work because of the many bills involved in the Chesterman Committee Report. The Legislative Reference Bureau, unfortunately, has been in the same boat, Great care has been taken to make sure that the wording of this bill would prove to be constitutional.

Furthermore, Mr. President, the Attorney General's office was very desirous that a bill which has to do with human lives, and the happiness and welfare of people, be well prepared, and that accounts for the delay in getting the bill over here. It reached the Legislature yesterday, and we are happy to introduce it today.

BILLS INTRODUCED AND REFERRED

Messrs. KESSLER and BANE read in place and presented to the Chair Senate Bill No. 480, entitled:

R An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption," by defining certain terms; imposing powers and duties on the Department of Welfare, requiring reports concerning receiving children for adoption, and investigation thereof, changing contents of petition for adoption, providing procedure for the voluntary relinquishment of, and for the finding of abandonment of, certain children; eliminating certain consents to adoption; and further providing for hearings and investigatory powers of the court.

Which was committed to the Committee on Judiciary General.

Messrs. MALLERY and WADE read in place and presented to the Chair Senate Bill No. 481, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by extending the purposes for which certain companies may be incorporated.

Which was committed to the Committee on Insurance.

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 482, entitled:

An Act to further amend clause (j) of section 620 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matters of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by making it a crime to commit a fraud regarding any form or application filed with the Department.

Which was committed to the Committee on Highways.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 483, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; providing for the election of, and the term of office of the present and future elected Senators; and repealing inconsistent laws in respect thereto.

Which was committed to the Committee on Reapportionment.

Messrs. TOOLE and PECHAN read in place and presented to the Chair Senate Bill No. 484, entitled:

An Act to further amend Section 802 and to amend Sections 807.1 and 807.2 of the act, approved the fifth day

of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments, or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. FLEMING asked and obtained unanimous consent to address the Senate.

Mr. FLEMING. Mr. President, several weeks ago the people of Pennsylvania, and of the entire world, were given renewed hope that something could be done to control the dread disease of polio, when the University of Pittsburgh released the announcement that one of their scientists had perfected a serum which would combat that dread disease.

Therefore, Mr. President, I am offering this resolution on behalf of my colleagues, Senator Pechan, Senator Walker, Senator Hare, Senator Barr and Senator Bane.

SENATE RESOLUTION

CONGRATULATIONS EXTENDED TO DOCTOR JONAS E. SALK FOR EFFORTS TOWARD DEVELOPMENT OF SPECIAL POLIO VACCINE

Messrs. FLEMING, PECHAN, WALKER, HARE, BARR and BANE offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 14, 1953.

The disease of infantile paralysis is a serious menace to the life and happiness of thousands of our citizens.

Dr. Jonas E. Salk, of the University of Pittsburgh School of Medicine, as reported in the Journal of the American Medical Association and elsewhere, has prosecuted research which now promises increased hope that we can overcome this scourge by use of a special polio vaccine which already has proved successful in preliminary tests; therefore, be it

Resolved, That the Members of the Senate of the Commonwealth of Pennsylvania hereby recognize with admiration the outstanding contributions to the cause of human welfare performed by Dr. Jonas E. Salk, and join in congratulating him and in wishing him Godspeed in his continued efforts to perfect and develop this vaccine which promises so much in relieving mankind from the burden of infantile paralysis.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

Alvin R. Guyler, Pittsburgh, from October 2, 1952, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES, PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Pennhurst State School, for terms of four years, and until their successors are qualified:

Mrs. Alivce R. E. Post, 135 Walnut Avenue, Wayne, Delaware County.

Daniel R. Goodwin, R. D. No. 1, West Chester, Chester County.

JOHN S. FINE.

MEMBER OF UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Francis G. Faint (Republican), Stein's Lane, Lewisburg, Union County, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Esther G. Sauvain, Lewisburg, whose term expired.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table nominations submitted by His Excellency, the Governor, for the purpose of consideration at this time.

The Clerk read the nominations as follows:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 16, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David K. Hughes, 206 East Broad Street, Bethlehem, Northampton County, for appointment as Alderman in and for the Seventh Ward of the City of Bethlehem, Northampton County, until the first Monday of January 1954, vice Matthew A. Culp, deceased.

JOHN S. FINE.

MEMBER OF ADVISORY HEALTH BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the reappointment of L. B. Longaker (Pharmacist), 4017 Walnut Street, Philadelphia, as a member of the Advisory Health Board, to serve until the third Tuesday of January 1957, or until his successor has been appointed and has qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl F. Custead, Main Street, Saegerstown, Crawford County, for appointment as Justice of the Peace in and for the Borough of Saegertown, Crawford County, until the first Monday of January 1954, vice Joseph M. Cribbs, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Henriette Kratzert, Monaca, Beaver County, for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, to serve until the third Tuesday of January 1959, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Stillings, Erie Street, Linesville, Crawford County, for appointment as Justice of the Peace in and for the Borough Linesville, Crawford County, until the first Monday of January 1954, vice N. B. Graham, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 9, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse S. Meek, Sr., New Salem, Fayette County, for appointment as Justice of the Peace in and for the Township of Menallen, Fayette County, until the first Monday of January 1954, vice Francis H. Shimshock, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 16, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Virginia J. Palmer, R. D. 4, Mercer, Mercer County, for appointment as Justice of the Peace in and for the Township of Fairview, Mercer County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 16, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance:

BERKS COUNTY

Thomas H. Gottshall (Republican), 129 North Reading Avenue, Boyertown, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice Daniel E. Bause, Boyertown, resigned.

LEBANON COUNTY

Robert F. James (Republican), 1025 Cornwall Road, Lebanon, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Raymond J. Coleman, Lebanon, whose term expired.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl D. Neidig, 418 Oak Terrace, West Reading, Berks County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, for the term of four years, and until his successor is qualified, vice Dr. I. E. Davies, Reading, deceased.

JOHN S. FINE.

MEMBERS OF CUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Cumberland County Board of Assistance:

Mrs. Mary W. King (Republican), R. D. No. 5, Carlisle, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Dorothy R. S. Rearick, Carlisle, whose term expired.

Mrs. Wilma L. Hershner (Republican), 70 West Main Street, Mechanicsburg, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Lila Landis, Mechanicsburg, whose term expired.

Harold S. Garling (Republican), 57 West King Street, Shippensburg, to serve until December 31, 1954, and until his successor is duly appointed and qualified, to fill a vacancy.

Mrs. Theresa Wolpert (Republican), 8 North Enola Drive, Enola, to serve until December 31, 1955 (Reappointment).

Bruce M. Bowman (Republican), South High Street, Newville, to serve until December 31, 1953, and until his successor is duly appointed and qualified (Reappointment).

JOHN S. FINE.

MEMBER OF MIFFLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following person for appointment as Member of the Mifflin County Board of Assistance:

James A. Dalton (Democrat), 129 Juniata Street, Lewistown, until December 31, 1955, and until his successor is duly appointed and qualified (Reappointment).

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 16, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Justices of the Peace to serve until the first Monday of January 1954:

Samuel McCurley, R. D. No. 1, Barto, Berks County, in and for the Township of Hereford, Berks County, to fill a vacancy.

Russell W. Carls, Sr., R. D. No. 1, Wysox, Bradford County, in and for the Township of Wysox, Bradford County, vice James L. Robbins, deceased.

JOHN S. FINE.

MEMBER OF INTERSTATE COMMISSION, POTOMAC RIVER BASIN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 23, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. R. Hoffert, 209 North Twenty-sixth Street, Camp Hill, Cumberland County, for appointment as a member of the Interstate Commission on the Potomac River Basin for the Commonwealth of Pennsylvania, for the term of two years, or until his successor is appointed, vice Harry Gard Knox, Mechanicsburg, representative of the Sanitary Water Board, whose term expired.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas Biddle, Bethayres, Montgomery County, for reappointment as a member of the Pennsylvania Game Commission, to serve until the third Tuesday of January 1961, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman L. Watts, R. D. No. 1, Salladasburg, Lycoming County, for appointment as Justice of the Peace in and for the Township of Mifflin, Lycoming County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 16, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Tobias C. Tremba, Jr., Box No. 461, Parker, Armstrong County, for appointment as Justice of the Peace in and for the Second Ward of the City of Parker, Armstrong County, until the first Monday of January 1954, vice Mrs. Amelia M. Marron, resigned.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker.	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. BLASS. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS read in place and presented to the Chair Senate Bill No. 485, entitled:

An Act to amend section seven hundred three of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the forwarding of certain benefit checks to the Department of Public Assistance.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 486, entitled:

An Act to amend Sections 406.1 and 610.1 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles: imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making and appropriation and providing for refunds," by increasing penalties.

CALENDAR

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 117, entitled:

An Act to amend section 608.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for physicial examinations and certificates signifying passage thereof by school bus drivers

And the amendments made thereto having been printed as required by the Constitution,

On the question

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, on Senate Bill No. 117, I would ask my colleagues to turn to page 4, line 11, on which there appears a bracket back of the words "school year," with no continuation and no start.

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I, therefore, ask unanimous consent that Senate Bill No. 117, on final passage, go over in its order for proper amendment.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I have no objection to the bill going over in its order so that we may peruse it further.

The PRESIDENT. There being no objection, Senate Bill No. 117 will go over in its order.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 350, as follows:

An Act to further amend Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fishing in streams or canals not stocked with trout

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the third day of August one thousand nine hundred fifty-one (P. L. 1148) is hereby further amended to read as follows

Section 20 Closed Seasons There shall be no fishing between the fourteenth day of March and five o'clock antemeridian on the fifteenth day of April in any year

[except] in any section of any stream which has been stocked with trout by the board within the preceding year and is approved by the board to be stocked with trout Fishing shall be permitted also in rivers canals ponds and lakes not stocked with trout and in streams emptying into Lake Erie within the confines of Pennsylvania from the mouth of the stream in a southerly direction to State Highway Route No. 5 a distance of approximately one-half mile For the purpose of this paragraph a person shall be deemed to be fishing if he shall have in his possession any fishing line rod or other device which can be used for fishing while on or in any water or on the banks of any water where fishing is prohibited Ponds canals and lakes in which fishing is prohibited shall be posted by the commission Any person violating the provisions of this paragraph shall upon conviction be sentenced to pay for the first offense a fine of five dollars ($5) and costs and for a second or subsequent offense a fine of twenty dollars ($20) and costs

The following closed seasons are hereby established for the fish as hereinafter enumerated

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout beginning on the first day of August to five o'clock antemeridian on the fifteenth day of April next following

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small mouth and large mouth bass white bass crappie strawberry or calico bass pike-perch otherwise called wall-eyed pike or Susquehanna salmon pickerel muskellunge western and northern pike from the first day of December to the thirtieth day of June next following both dates inclusive Provided [however] That pickerel and perch may be caught and taken not exceeding the daily creel limits fixed by this act during the months of December and January but only when tip-ups are employed while fishing through holes in the ice

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 6, as follows:

An Act to amend the act approved the nineteenth day of June one thousand nine hundred thirteen (P. L. 534) entitled "An act relating to appointment of deputy constables" by defining the jurisdiction of deputy constables

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the nineteenth day of June one thousand nine hundred thirteen (P. L. 534) entitled "An act relating to appointment of deputy constables" is hereby amended to read as follows

Section 1 Be it enacted &c That on and after the passage of this act the sole power to appoint a deputy constable or constables in any ward borough or township shall be vested in the constable of such ward borough or township subject to the approval of the court of quarter sessions as provided by law and that no person shall be appointed as a deputy constable unless he shall be at the time of his appointment a bona fide resident of the ward borough or township for which he shall have been appointed and shall continue to be a bona fide resident for the time during which such appointment is made It shall be unlawful for any such deputy constable to exercise any powers or duties relative to or arising out of any case or action originating in or brought before the court of any magistrate alderman or justice of the peace outside of the ward borough or township in which such appointing constable was elected.

And said bill having been read at length the third time, on the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I am not going to take up the time of the Members of the Senate, but I want to make my position clear on this particular piece of legislation.

Mr. President, I say to you that I am in sympathy with what the gentleman from Allegheny County is trying to do. I am not in favor of roving constables. However, Mr. President, I do say that he is going too far on these amendments and, in my opinion, it is not conducive to good government to pass this legislation in this form.

Mr. President, I am going to ask my colleagues on this side of the Senate to vote "no" on this particular piece of legislation.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CHAPMAN. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from Warren will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Kessler,	McPherson, Jr.	Wade,
Blass,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Letzler,	Pechan,	Walker,
Diehm,	Madigan,	Peelor,	Watkins,
Fleming,	Mahany,	Propert,	Watson,
Freed,	Mallery,	Stevenson,	Wolfe,
Harney,	McCusker,	Taylor,	Wood,

NAYS—18

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Toole,
Camiel,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
DiSilvestro,	McCreesh,		

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, on third reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of the State administrative departments boards commissions or officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 43, on third reading, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureau and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 57, on third reading, entitled:

An Act to amend Section 830 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prescribing the manner in which logs carried on certain vehicles and trailers shall be securely fastened.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 292, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exhanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 202 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 202 Purposes for Which Companies May Be Incorporated Underwriting Powers

* * * * *

(g) Stock fire stock marine stock fire and marine and stock casualty insurance companies may be incorporated for any or all of the purposes mentioned in subdivisions (b) and (c) of this section

Section 2 Section 206 of said act subsection (e) of which was amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2527) and the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2528) is hereby further amended to read as follows

Section 206 Minimum Capital and Financial Requirements To Do Business (a) Stock life insurance companies organized under this act to insure lives and to grant and dispose of annuities must have a paid up capital of not less than two hundred thousand dollars ($200,000) Stock life insurance companies organized under this act for all of the purposes mentioned in clause (1) subdivision (a) of section two hundred and two (202) must have a paid up capital of at least three hundred thousand dollars ($300,000) Every such company shall in addition thereto have a surplus paid in at least equal to fifty per centum of the subscribed capital

(b) Stock fire stock marine and stock fire and marine insurance companies organized under this act for any of the purposes mentioned in either clauses (1) or (2) of subdivision (b) section two hundred and two (202) of this act must have a paid up capital of not less than one hundred thousand dollars ($100,000) if organized for all of the purposes mentioned in clauses (1) and (2) or in clause (3) of subdivision (b) section two hundred and two (202) of this act two hundred thousand dollars

($200,000) and if organized for all of the purposes mentioned in clauses (1) (2) and (3) of subdivision (b) of section two hundred and two (202) of this act four hundred thousand dollars ($400,000) Every such company shall in addition thereto have a surplus paid in at least equal to fifty per centum (50%) of the subscribed capital

(c) Stock casualty companies organized under this act for any of the purposes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act must have a paid up capital of not less than one hundred thousand dollars ($100,000) except companies organized for the purpose of credit insurance which must have a paid up capital of not less than two hundred thousand dollars ($200,000) and companies organized to guarantee the fidelity of persons and contracts of suretyship which must have a paid up capital of at least two hundred and fifty thousand dollars ($250,000) Stock casualty companies organized under this act may undertake two or more classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act by providing at least fifty thousand dollars ($50,000) additional paid up capital for each additional class of insurance except in case credit or fidelity and surety insurance is added to any other line or lines in which case the additional paid up capital for credit insurance shall be one hundred thousand dollars ($100,000) and the additional paid up capital for fidelity and surety insurance shall be two hundred thousand dollars ($200,000) Any such stock casualty company with a paid up capital of three hundred thousand dollars ($300,000) may transact all of the classes of insurance mentioned in subdivision (c) of section two hundred and two (202) of this act except credit livestock and fidelity and surety insurance and a company with a paid up capital of seven hundred and fifty thousand dollars ($750,000) may transact all of the classes of insurance mentioned Every such company shall in addition thereto have a surplus paid in at least equal to fifty per centum (50%) of the subscribed capital

(d) Companies organized under this act to insure lives on the mutual plan must have applications for insurance to the amount of one million dollars ($1,000,000) by not less than four hundred persons Companies organized under this act to insure lives on the mutual plan must also have a guarantee capital before commencing business of not less than two hundred thousand dollars ($200,000)

(e) Mutual companies other than mutual life companies and other than title insurance companies hereafter organized under this act shall comply with the following conditions

[(1) Each such company shall hold bona fide applications for insurance upon which it shall issue simultaneously or it shall have in force at least twenty (20) policies to at least twenty (20) members for the same kind of insurance upon not less than two hundred (200) separate risks each within the maximum single risk described herein

(2) The "maximum single risk" shall not exceed three times the average risk or one per centum (1%) of the insurance in force whichever is the greater]

[(3) It shall have collected a cash premium upon each application which premium shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal in case of fire insurance to not less than twice the maximum single risk assumed subject to one fire nor less than twenty-five thousand dollars ($25,000) and in any oher kind of insurance to not less than five times the maximum single risk assumed nor less than fifty thousand dollars ($50,000) and in case of workmen's compensation insurance to not less than one hundred thousand dollars]

(1) Each such company shall hold bona fide applications for at least twenty (20) policies to be issued promptly and simultaneously to at least twenty (20) policyholders or members upon not less than two hundred (200) separate risks each within the maximum single risk described herein upon the granting of the certificate of authority to do business

(2) The "maximum single risk" shall not exceed three times the average risk or one per centum (1%) of the total insurance applied for whichever is the greater

(3) It shall have collected at least an annual cash premium upon each of such applications which premium shall be held in cash or securities in which such insurance companies are authorized to invest In the case of companies organized for any one of the purposes mentioned in paragraphs (1) or (2) or (3) of subdivision (b) of section two hundred two of this act the said cash premiums together with any sum or sums of money which may be advanced under section eight hundred nine of this act shall amount to not less than twenty-five thousand dollars ($25,000) for the purpose mentioned in each numbered paragraph of subdivision (b) If organized for all of the purposes mentioned in paragraphs (1) (2) and (3) of subdivision (b) of section two hundred two of this act the said cash premiums together with any sum or sums of money which may be advanced under section eight hundred nine of this act shall amount to not less than fifty thousand dollars ($50,000) In the case of companies organized for any one of the purposes mentioned in subdivision (c) of said section two hundred two except paragraphs (1) and (4) the said cash premiums collected together with any sum or sums of money advanced under the said section eight hundred nine shall amount to not less than ten thousand dollars ($10,000) for the purpose mentioned in each numbered paragraph of said subdivision (c) for the purpose mentioned in either numbered paragraph (1) or (4) of said subdivision (c) such amount shall be not less than twenty-five thousand dollars ($25,000) Provided That in no event shall a company be organized for any of the purposes mentioned in said subdivision (c) unless the amount collected as premiums together with the sum or sums of money advanced under said section eight hundred nine shall amount to not less than fifty thousand dollars ($50,000) nor shall a company be organized for all of the purposes mentioned in said subdivision (c) unless the cash premiums so collected and the sum or sums of money so advanced shall amount to not less than one hundred sixty thousand dollars ($160,000)

(4) In the case of companies hereafter organized under this act for the purposes mentioned in subdivisions (b) and (c) of section two hundred two of this act each such company shall meet the requirements of paragraphs (1) and (2) of subdivision (e) of this section and the required sum of the cash premiums collected and money advanced under said section eight hundred nine shall not be less than the aggregate of the sum required under paragraph (3) of subdivision (e) of this section for the purposes for which the company is to be incorporated

[(4)] (5) For the purpose of transacting employers liability and workmen's compensation insurance the application shall cover not less than five thousand (5,000) employes each such employe being considered a separate risk for determining the maximum single risk

(f) Every stock fire stock marine stock fire and marine or stock casualty company organized under this act for any or all of the purposes mentioned in both subdivisions (b) and (c) of section two hundred two of this act must have paid up capital and paid in surplus of not less than the aggregate amount of paid up capital and paid in surplus required for such purpose or purposes of a stock fire stock marine and stock fire and marine insurance company in subdivision (b) and of a stock casualty insurance company in subdivision (c) of this section

Section 3 Section 322 of said act as last amended by the act aproved the nineteenth day of July one thousand nine hundred fifty one (P. L 1100) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 322 Amendment of Charter

* * * * *

Before any domestic stock fire stock marine stock fire and marine or stock casualty insurance company transacting business under subdivisions (b) or (c) of section two hundred two of this act may procure an amendment to its charter for the transaction of additional kinds or

classes of business under subdivisions (b) or (c) or both said section two hundred two it must have a paid up capital and a paid in or accumulated surplus in amounts required by subdivisions (b) or (c) or both section two hundred six of this act for incorporation for its present and proposed additional purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 299, as follows:

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" are hereby amended to read as follows

Section 203 Articles of Agreement Any ten or more natural persons [citizens of this Commonwealth] of full age and either sex married or single at least two-thirds of whom are citizens of the United States or its territories or possessions may associate in accordance with the provisions of this act and form an incorporated company of any of the classes enumerated in section two hundred and one (201) of this article Such persons shall associate by articles of agreement in writing which agreement shall specify

(a) The name by which the company shall be known

(b) The class of insurance for the transaction of which it is constituted

(c) The plan or principle upon which the business is to be conducted

(d) The place in which it is to be established or located

(e) In the case of a stock company the amount of its capital

(f) The general objects of the company

(g) The proposed duration of the company

(h) The powers it proposes to have and exercise

Section 308 Election of Directors and Trustees Terms Vacancies At the annual meeting the stockholders or members shall elect by ballot from their own number not less than seven directors or trustees [a majority of whom shall be residents of this Commonwealth to] who shall be natural persons of full age and who need not be residents of this Commonwealth unless the articles or by-laws so require Provided however That at least two-thirds of the said directors or trustees shall be citizens of the United States or its territories or possessions Such persons shall serve for one year and until their successors are duly chosen and qualified

Any insurance company may provide in its by-laws for the division of its board of directors or trustees into two three or four classes and may provide for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year vacancies may be filled by an election by the board of directors or trustees for the unexpired term

Section 2 The provisions of this act shall be become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 302, as follows:

An Act to amend section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and super-

vision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filling thereof

The General Assembly of the Commonmealth of Pennsyrvania hereby enacts as follows

Section 1 Section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and conso idating the law providing for tne incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 308 Election of Directors and Trustees Terms Vacancies At the annual meeting the stockholders or members shall elect by ballot from their own number not less than seven directors or trustees a majority of whom shall be residents of this Commonwealth to serve for one year and until their successors are duly chosen

Any insurance company may provide in its by-laws for the division of its board of directors or trustees into two three or four classes and may provide for the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year Vacancies including vacancies resulting from an increase in the number of directors or from failure of the stockholders to fil' any class of directors may be filled by an election by the board of directors or trustees for the unexpired term

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the quetsion,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	McCreesh,	Stevenson,	Yosko,
Haluska,	Mallery,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the C'erk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration fo Senate Bill No. 323, as follows:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing pena ties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as fol ows

Section 1 Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subjects to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townhips of the first class providing for the appointments of a chief assessor assistant assessors and other employes providing for their compeisation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" is hereby amended to read as fol ows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county borough town township school (except in cities) poor and county institution district purposes at the annual rate

(a) All real estate to wit Houses buildings lands lots of ground and ground rents trailer parks and parking lots mills and manufactories of all kinds and all other real estate not exempt by law from taxation

(b) All sa aries and emoluments of office all offices and posts of profit professions trades and occupations and all persons over the age of twenty-one years who do not follow any occupation or calling as well as unnaturalized foreign-born persons who shall have resided within this Commonwea'th for one whole year as citizens of this Commonwealth

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 2 Section 502 and 602 of the act as amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2138) are hereby further amended to read as follows

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the fol owing oath or affirmation

"I ..... do hereby (swear or affirm that I will as assessor for .....

..... (ward borough town or township) use my utmost diligence to discover and ascertain and will report to the chief assessor all persons and property made taxable by law [and will assess rate and value all such persons and property] in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto and will perform to the best of my ability the duties imposed upon me by law and keep faith with trust reposed in me by the citiezns of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 602 Valuation of Persons and Property It shall be the duty of the chief assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the same would separately bona fide sell [Rea] After there has been established and completed for the entire county the permanent system of records consisting of tax maps property record cards and property owner's index as required by section three hundred six of the act herein amended real property shall be assessed at a value based upon an established predetermined ratio of which proper notice shall be given not exceeding seventy-five per centum (75%) of its actual value or the price for which the same wou'd separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be control'ing Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county [When] After the completion of the permanent system of records for the county when assessing real property the chief assessor shall also take into consideration the value of such property as indicated by the use of the permanent system of records cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the quetsion,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Dent,	Lane,	Pechan,	Watkins,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Wood,
Haluska,	Mallery,	Stevenson,	Yosko,
	McCreesh,	Stiefel,	

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 329, as follows:

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare

The General Assembly of the Comonwealth of ennsylvania hereby enacts as follows

Section 1 The Department of Health is hereby abolished and the powers and duties conferred by law upon the Department of Health or the Secretary of Health are hereby transferred to and shall hereafter be exercised by the Department of Health and Welfare and the Secretary of Health and Welfare created by amendment to "The Administrative Code of 1929"

Section 2 (a) This act shall not affect pending actions or proceedings civil or criminal brought by or against the Department of Health or its officers but such actions or proceedings may be prosecuted or defended in the same manner and to the same effect by the Secretary of Health and Welfare as if originally begun by or against him Nor shall any provision of this act affect in any manner any order or recommendation made by or any other matters or proceedings pending before the Department of Health on the effective date of this act and such matters and proceedings shall be continued before the Department of Health and Welfare

(b) All employes of the Department of Health on the effective date of this act shall become employes of the Department of Health and Welfare and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the Secretary of Health and Welfare Persons who upon the effective date of this act are employes of the Department of Health shall retain all retirement rights that shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the Department of Health had not been abolished

(c) All existing contracts and obligations of the Department of Health shall remain in full force and effect and shall be performed by the Department of Health and Welfare

(d) The unexpended balance existing on the effective date of this act in any funds or appropriations whatsoever of the Department of Health is hereby transferred to the Department of Health and Welfare for the same purposes as expresed in any act creating or authorizing such funds and any such unexpended balance also is hereby transferred to the Department of Health and Welfare for the payment of any bills or encumbrances incurred by the Department of Health prior to and remaining unpaid on the effective date of this act

Section 3 The act approved the twenty-seventh day of April one thousand nine hundred five (P. L. 312) entitled "An act creating a Department of Health and defining its powers and duties" is hereby repealed in so far as it is inconsistent with this act

Section 4 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, Senate Bill No. 329, Senate Bill No. 341, and Senate Bill No. 387 are the package of bills which carry out the recommendations of the Government Survey Committee in relation to merging the Department of Health, the Department of Welfare and the Department of Public Assistance into one department.

Mr. President, these are the bills on which we held a public hearing last Thursday, in the Republican Senate

Caucus Room, and for a change we saw some people who came to testify as to why they felt the legislation was good. This is the first hearing which we have held where any of the Task Force of the Chesterman Committee came and tried to make out a case for the legislation which they recommended. After we heard them, they admitted that they had not given it very much time, that the work they thought was well done but it was a hurried study, and they also stated that unless all these other mergers took place, they felt they did not want to have this particular one.

On the other side of the argument, Mr. President, we heard from a representative of the doctors of Pensylvania, and he stated definitely that this was very bad legislation and that it would not save any money.

Mr. President, both sides, in fact, agreed that it would probably cost a little more money, because at the head of these departments they would have a superman. This superman would, they thought, have his finger on the pulse of all these departments and would be able to coordinate them, and this superman would report to the Governor. However, this "Mr. Superman" would get $20,000 per year under their recommendation.

Mr. President, the doctors felt that the Department of Health of Pennsylvania was so important that it should be a separate department and be represented by a member in the Governor's Cabinet. They said that there were only two States which had this merger. I think they said they were Maine and Missouri. Both of these States found that this merger was a failure, and now they are trying to get the Department of Health separated.

Mr. President, I have received a telegram from the Pennsylvania Tuberculosis and Health Society, which held a special meeting just to consider this resolution. These doctors are the ones from whom the people back home certainly receive their advice, and they certainly like to pay for it. They are so glad to get their advice, that they can hardly wait to get home before taking the prescription which these doctors prescribe for them. Yet, when the same doctors tell us something about our Department of Health, and it happens to be contrary to the legislation which we have on the Calendar, there are certain people in Pennsylvania who feel we are scuttling certain recommendations of the Chesterman Committee.

Mr. President, I believe that we are trying to do a good job in connection with all this legislation which has been recommended by the Chesterman Committee. We have gone out and tried to get expert advice in connection with it, and yet we are always confronted with this business of the Members of the Senate scuttling the so-called economy legislation recommended by the Chesterman Committee.

In this telegram from these doctors, Mr. President, they say that the statement of those who propose and advocate this new Department of Health and Welfare, that the $20,000 a year administrator of the department would have the entire health and welfare picture at this fingertips, is wishful thinking if not absured. They have about a three page telegram stating their reasons for not wanting this legislation enacted. I am not going to read the entire telegram, but the sense of their message is that it is certainly bad legislation and should not be enacted.

Mr. President, I hope before some of the editors of the various newspapers in Pennsylvania take up their pens to write an editorial on how we are again scuttling economy moves, that they would at least take the opportunity of reading these bills. If they will write to me, I will see that the editors receive copies of the bills so that when they write the editorials, they will be able to know what they are talking about. Instead of just blanketing a blank indictment against us, if they will advise us just which bills they would like to have us vote for and why, I think perhaps it might have some effect on us.

Mr. President, we still have some of these bills remaining on the Calendar, but just to level a blanket shotgun charge at us, I do not like very much.

Mr. DENT. Mr. President, in looking at this particular set of bills, this is probably the first recommendation, outside of the recommendation consolidating the Department of Justice, the Parole Board and the State Police, that is aimed at a complete reorganization of the State Government. I do not konw whether these particluar bills are the right bills to do this job. I do know that back in 1943, I tried to impress upon the Senate the advisability of consolidating certain departments into one particular department, particularly the Department of Public Assistance, Welfare and Health. Now, being consistent in that thought, I must, of necessity, vote for this set of bills.

Mr. President, I agree with the Senator when he says that the elimination of three department heads and the creation of five bureau heads is not entirely in the interest of economy. However, sooner or later, we must realize that the Department of Public Assistance, as such, has outgrown its usefulness.

Mr. President, we have reached the stage in Pennsylvania where, in the main, the persons who are receiving assistance through that department belong, in the vast majority, to the four categorical reliefs. These categorical reliefs should be administered to by the Department of Welfare. It was the intention of the past Legislature, when it created the Department of Welfare, that the categorical reliefs be placed in that department, and they were so placed. However, during the depression, some persons thought that a new department was needed to administer the affairs of public assistance.

Mr. President, I have always said that the terriffic overhead of the Department of Public Assistance could be shaved to as low as ten per cent of that amount which is being spent today, and the work carried on by the Department of Welfare. As you all know, when we spend $200,000,000 a biennium for public assistance, we are spending $20,000,000 for administration. Most of us can remember when the entire relief appropriation of the Commonwealth was approximately $5,000,000 but we know that is no longer possible. However, the administration of public assistance has become routine, and there is no necessity for the great amount of work being performed by the department of this time.

Mr. President, it is very important that we, at this time, move a step toward the consolidation of the various departments, especially those related departments. In support of this argument, all you need to do is take the action of the Federal Congress, at the suggestion of the new President of the United States. Last month they

created in Washington a new department, the Department of Health, Welfare and Public Assistance. They in Washington, have united the three departments of a like nature in the interest of consolidation and economy.

Mr. President, these bills do not particularly create the economy which can be created once we achieve the consolidation of these departments. I believe that sooner or later we must come to the position where we must overhaul our State Government. All of us are aware of the tremendous load placed upon the taxpayers by the demands of the taxpayers. However, it is the duty of the General Assembly to amalgamate, to consolidate and legislate for those departments, and to those departments, in any manner whatsoever which will give the people of Pennsylvania the services needed, at the lowest administrative cost.

Mr. President, no person can justify the tremendous amount of money being spent by the Department of Public Assistance for administrative purposes. There are not many persons in Pennsylvania who know that out of every $10,000,000 that we spend for public assistance in Pennsylvania, $1,000,000 is spent for administration; out of every dollar which is spent by the taxpayers for public assistance in Pennsylvania, ten cents of it—better still, I think last month's average was 10.7—is spent for administration.

Mr. President, there are certain basic costs that must be met in the administration of any department. So, if your expenditure for public assistance was $10,000,000, probably you could justify an expenditure of ten per cent for administration. However, if you will go back through the records,—and I assure you that I have gone through the records—you will find that the very lowest percentage which has ever been spent for administration is eight and three-quarter per cent. At that time, you were spending $322,000,000 a biennium for relief in this Commonwealth, and that is better than $34,000,000 spent for administration.

Ever since the days of Secretary de Schweinitz, Mr. President, who was the original Secretary of the Department of Public Assistance, and for whom the department was created, they have established a set rule of spending eight and ten per cent for administrative cost, regardless of the total amount spent. They always make sure that they spend their ten per cent by adding to or subtracting from their monthly expenses, in order that at the end of the biennium they can justify a ten per cent expenditure for administration. In this administrative cost is a tremendous amount of money that is spent for printing. They publish a booklet and send it out to the persons on relief, and it tells them how to go about consolidating their position on relief.

Mr. President, we have given, during the days of depression, our votes for every liberalization, in order to see to it that those unfortunate citizens of Pennsylvania were not deprived of sufficient food, shelter and clothing to keep them at least at a minimum standard of existence. However, in those days, if you will remember, the great bulk of the load for the Department of Public Assistance was made up of unemployed persons, who were employable but were unemployed because of the depression and the lack of job. During the past twelve years, this has not been true. We have reached the highest peak of employment that this Nation and this State has ever known. Yet, we find our Department of Public Assistance going merrily along, spending, I believe, in this next biennium something like $21,000,000 for the administration of that department.

Mr. President, I believe that these bills are a step toward an essential move in State Government. I know that any time you tend to make a change of any kind in government, you run into opposition. I received the same admonitions that the Republican Floor Leader received from the doctors and the various interested groups. I see nothing in consolidation that will destroy the effectiveness of the Department of Health, or the Department of Welfare or the Department of Public Assistance. I believe that, at this time, we have an opportunity to at least vote for a beginning, humble at it may be, toward a reorganization of State Government, in order that we may at some later date give to the people of Pennsylvania an efficient, well-balanced administration, run economically, and still give to the people of this Commonwealth the essential services for health and welfare.

I would beg you to reconsider, if you can, your decision to vote down this particular group of bills.

Mr. President, I have been outspoken in my criticism of the political pork barrel bills which have found their way into the Chesterman Report, and I am convinced that Mr. Chesterman, himself, never intended that those particular bills be part of the package. However, when it comes to economy, and where we can see that there is even a slim chance for economy, then I believe that our position must be clear. I respectfully urge that the Members of the Senate, acting either as a political group or as individuals, give serious consideration to this particular group of bills, because I do believe that it is this kind of legislation that is giving the people of Pennsylvania the hope that they can save considerable millions of dollars by following through some of the recommendations of the Chesterman Committee.

Mr. President, I refuse to admit that all of the Chesterman Comimttee recommendations are right, but I also refuse to acknowledge that all of the recommendations are bad. I believe that, in the main, if we will take those bills which have a definite price tag of economy on them, we can present to the people of Pennsylvania a program based upon an intelligent approach. I would, at this time, ask that all of you consider this particular group of bills for what they intend to do, more than for what they do immediately.

Mr. MALLERY. Mr. President, I confess that as of this day I have not read the entire Chesterman Committee Report. However, I have read carefully, and given considerable consideration to, that part of the Chesterman Report which pertains to this bill and several other companion bills.

Mr. President, I personally believe that there is considerable overlapping of functions in the Department of Welfare and the Department of Public Assistance, particularly. I am also of the opinion that an over-all administrator, who is a good businessman, could effect economies. It is not my understanding that we would not have a doctor overseeing all matters pertaining to public health. I have, for quite some time, believed that our hospitals and our mental hospitals should be under the supervision and guidance of a medical man. I know most of the doctors in my own Senatorial District, and while we have splendid doctors, I do not think those doctors

would hold themselves out as business or financial experts.

Mr. President, in the belief that this section of the Chesterman Committee Report can effectuate economies, I will, in that hope and belief, vote for the bill.

Mr. HALUSKA. Mr. President, it is quite apparent now that the funeral procession is nearing the burial ground, and the corpse, rather than receiving the rites of a minister, is being stabbed in the back by the doctors to make sure that no life remains.

Mr. President, I have the deepest respect for the medical profession, but I cannot say truthfully that too many of them are business administrators. They are so fearful that the government will fall if we have consolidation of these various departments.

We have talked for months and for years about economy, Mr. President. When are we going to start? Where are we going to start? I believe sincerely that now we have the opportunity to consolidate a number of departments, and thus show a savings and help to balance this budget. However, we only talk about economy, and thus far we have shown no signs of being sincere.

Mr. President, in a few weeks we will be confronted with a sales tax or an income tax, with a cry to the people back home that we will take everything away from you, because we have failed to pass a tax here and because we have faied to show economy.

Mr. President, I agree with my colleague from Blair County and my colleague from Westmoreland County, that now, if we are sincere in what we have been talking about for years, we can show some signs of economy by the consolidation of these various departments.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred).

VERIFICATION OF THE ROLL

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. HALUSKA. Mr. President, I also ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bane,	Holland,	McGinnis,	Toole,
Barr,	Kopriver, Jr.	McMenamin,	Wade,
Camiel,	Lane,	Pechan,	Walker,
Dent,	Leader,	Ruth,	Weiner,
Fleming,	Mallery,	Silvert,	Wood,
Haluska,	McCreesh,	Stiefel,	Yosko,

The PRESIDENT. Are there any corrections?

Mr. MAHANY. Mr. President, so that they will not think that we are not trying to save some money here regarding this bill, I would like to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from Crawford will be so recorded.

Mr. PEELOR. Mr. President, I wish to be recorded as voting "aye" on this bill.

The PRESIDENT. The gentleman from Indiana will be so recorded.

Mr. BLASS. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from Erie will be so recorded.

Mr. MILLER. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from Beaver will be so recorded.

Are there any further corrections? The Chair hears none. The affirmative roll will stand as corrected.

The Clerk read the names of those recorded as having voted in the negative as follows:

Berger,	Harney,	McCusker,	Taylor,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Diehm,	Letzler,	Propert,	Watkins,
Freed,	Madigan,	Stevenson,	Wolfe,
Hare,			

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Bane,	Holland,	McGinnis,	Stiefel,
Barr,	Kopriver, Jr.	McMenamin,	Toole,
Blass,	Lane,	Miller,	Wade,
Camiel,	Leader,	Pechan,	Walker,
Dent,	Mahany,	Peelor,	Weiner,
Fleming,	Mallery,	Ruth,	Wood,
Haluska,	McCreesh,	Silvert,	Yosko,

NAYS—17

Berger,	Harney,	McCusker,	Taylor,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Diehm,	Letzler,	Propert,	Watkins,
Freed,	Madigan,	Stevenson,	Wolfe,
Hare,			

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 337, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by limiting the amount of reimbursement by the Commonwealth to school districts and vocational school districts; and requiring the Department of Public Instruction to administer the financial affairs of financially handicapped and distressed school districts in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 7, line 6, by striking out the bracket before the word "less" and the bracket after the word "unit."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, To be transcribed for Final Passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Health and Welfare transferring to it the powers and duties of the Department of Health Department of Welfare and Department of Public Assistance providing for a Secretary of Health and Welfare defining his powers and duties and abolishing the Department of Health the Department of Welfare and the Department of Public Assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health and Welfare Department of Labor and Industry [Department of Welfare] Department of Property and Supplies Department of Revenue [Department of Public Assistance] and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commissions Pennsylvania Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 Section 202 of said act as amended in whole by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) and as amended in part by the acts approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) the eighth day of May one thousand nine hundred forty-seven (P. L. 158) the second day of May one thousand nine hundred forty-nine (P. L. 867) the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) the twenty-second day of May one thousand nine hundred fifty-one (P. L. 323) the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 353) the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1144) and the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1245) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commisisons and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Nurse Examiners
State Board of Barber Examiners
State Board of Cosmetology
State Board of Veterinary Medical Examiners
State Board of Chiropractic Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
State Registration Board for Professional Engineers
Public Service Institute Board
State Board of Private Academic Schools
State Board of Private Business Schools
State Board of Private Trade Schools
State Board of Private Correspondence Schools

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission

In the Department of Agriculture
State Farm Products Show Commission

In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
Bushy Run Battlefield Commission

In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania

[In the Department of Health
Sanitary Water Board
State Board of Undertakers]

In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board

Unemployment Compensation Board of Review
Pennsylvania Labor Relations Board

In the Department of Health and Welfare
Sanitary Water Board
State Board of Public Assistance
State Council for the Blind
Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
Board of Trustees at Rockview
Board of Trustees of Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morganza
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Health and Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
.....
(descriptive name of political subdivision in which institution is located) State Hospital

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission

In the Department of Revenue
State Athletic Commission

[In the Department of Public Assistance
State Board of Public Assistance]

In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 3 Section 203 of said act as last amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 867) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1695) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made part of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans' Commission

In the Department of Forests and Waters
State Forest Commission
Flood Control Commission

[In the Department of Health
Advisory Health Board
In the Department of Welfare]
[State Welfare Commission]
In the Department of Health and Welfare
Advisory Health Board
State Welfare Commission
In the Department of Property and Supplies
General Galusha-Pennybacker Monument Commission

Section 4 Section 206 of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the administrative departments following their respective titles

Secretary of the Commonwealth of the Department of State

Auditor General of the Department of the Auditor General

State Treasurer of the Treasury Department

Secretary of Internal Affairs of the Department of Internal Affairs

Superintendent of Public Instruction of the Department of Public Instruction

Adjutant General of the Department of Military Affairs

Insurance Commissioner of the Insurance Department

Secretary of Banking of the Department of Banking

Secretary of Agriculture of the Department of Agriculture

Secretary of Forests and Waters of the Department of Forests and Waters

Secretary of Mines of the Department of Mines

Secretary of Highways of the Department of Highways

[Secretary of Health of the Department of Health]

Secretary of Health and Welfare of the Department of Health and Welfare

Secretary of Labor and Industry of the Department of Labor and Industry

[Secretary of Welfare of the Department of Welfare]

Secretary of Property and Supplies of the Department of Property and Supplies

Secretary of Revenue of the Department of Revenue

[Secretary of Public Assistance of the Department of Public Assistance]

Secretary of Commerce of the Department of Commerce

Section 5 Section 207 of said act as last amended by the act approved the eighteenth day of February one thousand nine hundred forty-nine (P. L. 16) and subsection (a) of which was last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health and Welfare the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry [the Secretary of Welfare] the Secretary of Property and Supplies the Secretary of Revenue [the Secretary of Public Assistance] the Secretary of Commerce and the members of all independent administrative boards and commissions

The Adjutant General may have the rank of Major General of the Adjutant General's Department in the Pennsylvania National Guard or Pennsylvania Guard or the Governor may designate the ranking line officer of the Pennsylvania National Guard or Pennsylvania Guard or an officer of the Regular Army United States Navy United States Coast Guard or United States Marine Corps as Adjutant General Provided That should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for the Adjutant General And provided further That should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard Pennsylvania Guard or equivalent length of service in the regular Army of the United States United States Navy United States Coast Guard or United States Marine Corps or Officers Reserve Corps of the United States Army United States Naval Reserve United States Coast Guard Reserve or United States Marine Corps Reserve which service may be cumulative that is service in any one or more of the foregoing services may be added together

[The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed]

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who shall file the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 6 Section 209 of said act as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine P. L. 776) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor twenty-five thousand dollars

To the Lieutenant Governor fifteen thousand dollars

To the Secretary of the Commonwealth fifteen thousand dollars

To the Attorney General fifteen thousand dollars

To the Auditor General fifteen thousand dollars

To the State Treasurer fifteen thousand dollars

To the Secretary of Internal Affairs fifteen thousand dollars

To the Superintendent of Public Instruction fifteen thousand dollars

To the Adjutant General fifteen thousand dollars

To the Insurance Commissioner fifteen thousand dollars

To the Secretary of Banking fifteen thousand dollars

To the Secretary of Agriculture fifteen thousand dollars

To the Secretary of Forests and Waters fifteen thousand dollars

To the Secretary of Mines fifteen thousand dollars

To the Secretary of Highways fifteen thousand dollars

To the Secretary of Health and Welfare fifteen thousand dollars

To the Secretary of Labor and Industry fifteen thousand dollars

[To the Secretary of Welfare fifteen thousand dollars]

To the Secretary of Property and Supplies fifteen thousand dollars

To the Secretary of Revenue fifteen thousand dollars

[To the Secretary of Public Assistance fifteen thousand dollars]

To the Secretary of Commerce fifteen thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 7 Section 217 of said act is hereby amendd to read as follows

Section 217 Qualifications All deputies directors superintendents and bureau or division chiefs and other employes shall be persons especially qualified for their positions by training and experience in the particular kind of work which their official duties will require them to

perform The deputy secretary of Health and Welfare or other officer of the Department of Health and Welfare responsible for the administration and enforcement of laws relating to health formerly administered and enforced by the Department of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed

Section 8 Section 412 of said act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 781) is hereby further amended to read as follows

Section 412 State Board of Medical Education and Licensure The State Board of Medical Education and Licensure shall consist of seven members two of whom shall be the Superintendent of Public Instruction and the Secretary of Health and Welfare Of the five remaining members one shall be appointed from the Medical Society of the State of Pennsylvania one from the Homeapathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania The two remaining members shall not be of the same school or system of practice

Each of the five members appointed shall at the time of his appointment be licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and shall have practiced the same in this Commonwealth for a period of not less than ten years prior to his appointment No member of the Board shall be a member of the faculty of any undergraduate school or college or university teaching medicine or surgery

The terms of members of the board shall be four years from the respective dates of their appointment

Four members of the board shall constitute a quorum

The board shall select from among their number a chairman and shall elect a secretary who need not be a member of the board

Each member of the board other than the Superintendent of Public Instruction and the Secretary of Health and Welfare shall receive fifteen dollars per diem while actually engaged in the work of the board The secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 9 Section 414 of said act is hereby amended to read as follows

Section 414 State Dental Council and Examining Board The State Dental Council and Examining Board shall consist of the president of the Pennsylvania State Dental Society the Superintendent of Public Instruction the Secretary of Health and Welfare and six persons whose term of office shall be six years

The Pennsylvania State Dental Society shall have power to nominate from its membership at least double the number of candidates required to fill the vacancies occurring annually in the membership of the State Dental Council and Examining Board Such candidates shall have been engaged in the actual practice of dentistry in this Commonwealth during a period of not less than ten years The Governor shall appoint members to fill all vacancies occurring from any cause only from the candidates nominated as aforesaid No member of the faculty of a dental college shall be eligible to appoint as a member of the State Dental Council and Examining Board In the event of failure of the Pennsylvania State Dental Society to nominate candidates as aforesaid the Governor shall appoint members in good standing of the said society without other restriction

The members of the State Dental Council and Examining Board shall annually select one of their number to act as chairman and shall elect a secretary who need not be a member of the board

Each of the members of the State Dental Council and Examining Board other than the Superintendent of Public Instruction the Secretary of Health and Welfare and the president of the Pennsylvania State Dental Society shall receive fifteen dollars per diem while actually engaged in the work of the board and the secretary shall receive such reasonable compensation as the board shall determine with the approval of the Superintendent of Public Instruction

Section 10 Sections 431 and 439 of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) are hereby further amended to read as follows

Section 431 Water and Power Resources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters the Secretary of Health and Welfare the Executive Director of the Pennsylvania Fish Commission and a member of the Pennsylvania Public Utility Commission to be designated by the Governor The fifth member shall be an engineer and shall receive a salary of three thousand dollars per annum

The Secretary of Forests and Waters shall be chairman of the board

Three members of the board shall constitute a quorum

Any investigation hearing or other proceeding which the board has power to undertake or hold may be undertaken or held by or before any member of the board or by or before any official of the board designated by the board for such purpose provided all actions and order shall be approved by a majority thereof

The board shall have authority to make and adopt rules and regulations for its procedure acts and orders not inconsistent with this act

Interim permits and orders may be issued and made by the chairman of the board or by any official of the board designated for such purpose by the board but such interim permits and orders shall be subject to subsequent approval or confirmation by the board

Section 439 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health and Welfare who shall be chairman thereof the Secretary of Forests and Waters the Secretary of Mines the Executive Director of the Pennsylvania Fish Commission and three other members

Four members of the board shall constitute a quorum

Each member of the board except the Secretary of Health and Welfare the Secretary of Forests and Waters the Secretary of Mines and the Executive Director of the Pennsylvania Fish Commission shall receive fifteen dollars ($15) per diem when actually engaged in the work of the board

Section 11 Section 444 of said act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 788) is hereby further amended to read as follows

Section 444 State Council for the Blind The State Council for the Blind shall consist of seven members of whom three shall be the Secretary of Health and Welfare the Superintendent of Public Instruction and the Secretary of Labor and Industry Of the other four members one at least shall be a blind person

The terms of members shall be four years from the dates of their respective appointments

No paid employe of any school institution or other agency carrying on work for the blind shall be eligible for appointment

The council for the blind shall annually elect from its members a chairman The Secretary of Health and Welfare shall be the secretary and executive officer of the council

Four members of the council shall constitute a quorum

At least two regular meetings of the council shall be held each year Special meetings may be called jointly by the chairman and the secretary and shall be called by the chairman on the written request of any three of the appointed members of the council

Section 12 Subsections (f) and (g) of Section 448 of said act subsection (f) as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) and subsection (g) as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) are hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The ad-

visory boards and commissions within the several administrative departments shall be constituted as follows

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health and Welfare or in his place his duly authorized deputy and ten members five of whom shall be doctors of medicine licensed to practice medicine in Pennsylvania one a dentist licensed to practice dentistry in Pennsylvania one a pharmacist registered with the State Board of Pharmacy and one an engineer registered with the State Registration Board for Professional Engineers who is experienced in sanitary engineering The Secretary of Health and Welfare or in his place his duly authorized deputy shall be chairman of the board

The term of office of each appointed member of the board shall be four years measured from the third Tuesday of January of the year in which he takes office or until his successor has been appointed and has qualified except that in the initial appointment of the members of the board one member shall be appointed for a term of one year three members for a term of two years three members for a term of three years and three members for a term of four years

Six members of the board together with the Secretary of Health and Welfare or in his place his duly authorized deputy shall constitute a quorum

Each appointed member of the board shal receive actual traveling expenses and per diem compensation at the rate of $25.00 a day for time actually devoted to the business of the board

(g) The State Welfare Commission shall consist of the Secretary of Health and Welfare ex officio and eight other members The Secretary of Health and Welfare shall be chairman of the board The Secretary of Health and Welfare and four other members of the board shall constitute a quorum

Section 13 Article XXI of said act Section 2102 of which was amended by the act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 412) Section 2110 of which was amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) Section 2111 of which was amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) Section 2112 of which was amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and Section 2114 of which was added by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 817) is hereby further amended to read as follows

Article XXI

Powers and Duties of the Department of Health and Welfare and Its Departmental Administrative and Advisory Boards

(a) General Powers and Duties

Section 2101 Powers and Duties in General [The Department of Health shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the former bureaus thereof the Commissioner of Health and the Secretary of Health] The Department of Health and Welfare shall subject to any inconsistent provisions in this act contained exercise the powers and perform the duties by law vested in and imposed upon the Department of Health the former bureaus thereof the Commissioner of Health the Secretary of Health the Department of Welfare the Secretary of Welfare the former Department of Public Welfare and the Commissioner of Public Welfare the Department of Public Assistance and the Secretary of Public Assistance

(b) Health

Section 2102 General Health Administration The Department of Health and Welfare shall have the power and its duty shall be

(a) To protect the health of the people of this Commonwealth and to determine and employ the most efficient and practical means for the prevention and suppression of disease

(b) To cause examination to be made of nuisances or questions affecting the security of life and health in any locality and for that purpose without fee or hindrance to enter examine and survey all grounds vehicles apartments buildings and places within the Commonwealth and all persons authorized by the department to enter examine and survey such grounds vehicles apartments buildings and places shall have the powers and authority conferred by law upon constables

(c) To order nuisances detrimental to the public health or the causes of disease and mortality to be abated and removed and to enforce quarantine regulations

(d) If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the department for the abatement or removal thereof to enter upon the premises to which such order relates and abate or remove such nusances as may now or hereafter be provided by law

(e) For the purpose of collecting or recovering the expense of the abatement or removal of a nuisance to file a claim or maintain an action in such manner as may now or hereafter be provided by law against the owner or occupant of the premises upon or from which such nuisance shall have been abated or removed by the department

(f) To revoke or modify any order regulation by-law or ordinance of a local board of health concerning a matter which in the judgment of the department affects the public health beyond the terriory over which such local board has jurisdiction

(g) To promulgate its rules and regulations by sending printed copies thereof to all local boards of health county and district superintendents of schools and clerks of councils of cities and boroughs and by printing the same once in at least one daily newspaper of Philadelphia and Pittsburgh and to cause to be printed in circular form such rules and regulations and give copies thereof to any person requesting the same

(h) Whenever in the opinion of the department conditions exist in any borough or any township of the first class within the Commonwealth which constitute a menace to the lives and health of the people living outside the corporate limits of such borough or township or after it be known to the department at any borough or any township of the first class is within an existing or efficient board of health to enter and take full charge of and administer the health laws regulations and ordinances of such borough or township and to continue in charge thereof until the department shall decide that a competent and efficient board of health has been appointed and qualified for such borough or township and is ready able and willing to assume and carry into effect the duties imposed upon it by law and to collect all expenses incurred by the department in performing its duties hereunder as may now or hereafter be provided by law

(i) To take over the administration of the health laws in any such borough or township at the expense of the department whenever the borough or township shall request the department to do so and the department shall deem it advisable to comply with such request

(j) To prescribe standard requirements for the conduct of the medical inspection of the pupils of the public schools throughout the Commonwealth and to appoint medical inspectors to make such school inspections as may now or hereafter be provided by law

(k) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any public utility over which the Pennsylvania Public Utility Commission has jurisdiction whenever said commission shall certify such question to the department

The findings of the department upon any such questions shall be incorporated in and made a part of the determination or decision of said commission of the controversy or other proceeding in connection with which the question arose and shall be binding upon the parties to such con-

troversy or other proceeding unless either party shall take an appeal from the commission's determination or decision as may now or hereafter be provided by law

Section 2103 Housing The Department of Health and Welfare shall have the power and its duty shall be to investigate the sanitary condition of tenements lodging and boarding houses and when the same are found to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same in such manner and subject to such limitations as may now or hereafter be provided by law and to notify the owners or agents thereof in writing setting forth the unsanitary or overcrowded condition thereof specifying the changes or alterations which shall be made thereto for the purpose of relieving such condition and further specifying the time within such changes or alterations shall be completed or overcrowding relieved Provided That in making inspections as authorized by this section the Department of Health and Welfare shall cooperate with the Department of Labor and Industry for the purpose of avoiding any duplication of inspection or overlapping of functions

For the purpose of making investigations authorized by this section the officers and agents of the department shall at all times have the right of ingress into all tenement lodging and boarding houses

Section 2104 Vital Statistics The Department of Health and Welfare shall have the power and its duty shall be

(a) To obtain collect compile and preserve all statistics of marriages deaths diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all professions whose occupation is deemed to be of importance in obtaining a complete registration of births deaths marriages and diseases or other vital statistics

((b) To prepare the necessary methods form and blanks for obtaining and preserving records of registration of births deaths marriages and diseases and to insure the faithful registration of the same in the townships boroughs cities and counties of the State and in the department

(c) To see that the laws requiring the registration of births deaths marriages and diseases are uniformly and thoroughly enforced throughout the State and prompt returns of such registrations made to the department

(d) With the advice and concurrence of the Advisory Health Board to make appropriate regulations for the thorough organization and efficiency of the registration of the vital statistics throughout the Commonwealth and to enforce such regulations

(e) To issue marriage birth and death certificates and such burial or removal permits as may now or hereafter be provided by law

(f) To establish such districts for the registration of vital statistics and appoint such registrars deputies and sub-registrars as may be necessary properly to obtain collect compile and preserve the statistics which the department is required to obtain collect compile and preserve All local registrars deputies and sub-registrars appointed under this section shall perform such duties as shall be required of them by the department and shall receive such compensation as may now or hereafter be fixed by law

Section 2105 Health Districts and Officers The Department of Health and Welfare shall have the power in order to enable it more efficiently to manage the sanitary affairs of the Commonwealth to apportion the Commonwealth into such number of health districts as the department with the approval of the Governor shall decide and in each district to appoint a health officer who shall under the direction of the department have supervision and control of the sanitary affairs of the district

Section 2106 Quarantines The Department of Health and Welfare shall have the power and its duty shall be

(a) With the approval and concurrence of the Advisory Health Board to declare certain diseases to be communicable in addition to those by law declared so to be and to establish such regulations for the prevention of the spread of such disease as the department and the Advisory Health Board shall deem necessary and appropriate

(b) To establish and enforce quarantines in such manner for such period and with such powers as may now or hereafter be provided by law to prevent the spread of disease declared by law or by the department to be communicable diseases

(c) To administer and enforce the laws of this Commonwealth with regard to vaccination and other means of preventing the spread of communicable diseases

Section 2107 Tuberculosis Sanatoria The Department of Health and Welfare shall have the power and its duty shall be

(a) To maintain sanatoria or colonies for the reception and treatment of indigent persons affected with tuberculosis

(b) To approve or disapprove plans and specifications for county hospitals or sanatoria erected for the treatment therein of indigent persons suffering from tuberculosis as may now or hereafter be provided by law

Section 2108 Narcotic Drugs The Department of Health and Welfare shall have the power and its duty shall be to supervise the enforcement of and administer laws regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of narcotic drugs

Section 2109 Water Pollution The Department of Health and Welfare shall have the power and its duty shall be

(a) To act as the enforcement agent for the Sanitary Water Board The department shall make such inspections conduct such investigations and do such other acts as the Sanitary Water Board shall from time to time direct but the department shall in the exercise of its powers and the performance of its duties hereunder be subject at all times to the rules and regulations orders and directions of the Sanitary Water Board Provided however That between sessions of the board the department shall have the power to issue such orders and take such action within the powers of the board as the circumstances may require but any order so issued and any action so taken may be rescinded or revoked by the board at its next session

(b) To issue water works permits and stipulate therein the conditions under which water may be supplied to the public and to administer sections one two and three of the act approved the twenty-second day of April one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" its amendments and supplements

Section 2110 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) [To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of the public healh" which reads as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharged or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any of the waters of the State at the time of the passage of this act But this exception shall not permit the discharge of sewage from a sewer system which shall be extended subsequent to the passage of this act

"For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals

"Section 5 Upon application duly made to the Commissioner of Health by the public authorities having by law the charge of the sewer system of any municipality the Governor of the State the Attorney General and the Commissioner of Health shall consider the case of such a sewer system otherwise prohibited by this act from

discharging sewage into any of the waters of the State and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the Commissioner of Health may issue a permit [for the discharge of sewage from any such sewer system into any of the waters of the State and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and change by the Commissioner of Health on due notice after an investigation and hearing and an opportunity for all interested therein to be heard thereon being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the Commissioner of Health the right to discharge sewage into any of the waters of the State shall cease and terminate and the prohibition of this act against such discharge shall be in full force as] though no permit had been granted but a new permit may thereafter again be granted as hereinafter provided

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the Commissioner of Health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit

"Section 8 All individuals private corporations and companies that at the time of the passage of this act are discharging sewage into any of the waters of the State may continue to discharge such sewage unless in the opinion of the Commissioner of Health the discharge of such sewage may become injurious to the public health If at any time the Commissioner of Health considers that the discharge of such sewage into any waters of the State may become injurious to the public health he may order the discharge of such sewage discontinued

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the State within ten days after having been so ordered by the Commissioner of Health

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the State contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court

"Section 11 Any order or decision under this act of the Commissioner of Health or that of the Governor Attorney General and Commissioner of Health shall be subject to an appeal to any court of common pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appeal from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act] To administer and enforce the laws enacted to preserve and improve the purity of the waters of the Commonwealth and in particular the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and its amendments

(b) To exercise all other powers not contrary to law formerly exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law exercised by the former Department of Fisheries the former Commissioner of Fisheries and the former Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreational purposes The board shall have the power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health and Welfare to make such inspections conduct such investigations and do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the board

Section 2111 Advisory Health Board The Advisory Health Board shall have the power and its duty shall be

(a) To advise the Secretary of Health and Welfare on such matters as he may bring before it

(b) To make such reasonable rules and regulations not contrary to law as may be deemed by the board necessary for the prevention of disease and for the protection of the lives and health of the people of the Commonwealth and for the proper performance of the work of the Department of Health and Welfare in administering and enforcing laws relating to health and the laws in which the duty of administration is imposed upon the Department of Health and such rules and regulations when made by the board shall become the rules and regulations of the department

(c) To adopt rules and regulations for personnel administration based upon merit and fitness including standards of recruitment selection tenure removal and working conditions and to prescribe qualifications for professional technical and executive personnel appointed or employed by the Department of Health and Welfare in executing the powers and duties formerly executed by the State Department of Health and by the departments or boards of health of counties or other political subdivisions No restrictions shall be imposed relating to race religion residence or political affiliation

(d) To prescribe minimum health activities and minimum standards of performance of health services for counties or other political subdivisions

[Section 2112 State Board of Undertakers The State Board of Undertakers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board]

Section 2113 State Hospital for Crippled Children The Department of Health and Welfare shall have the power and its duty shall be to manage and control the State Hospital for Crippled Children at Elizabethtown The department shall have full control over the admission of patients to and their discharge from said hospital

Section 2114 Alcoholism The Department of Health and Welfare shall have the power and its duty shall be

(a) To investigate the subject of alcoholism in respect to rehabilitation and compile and maintain reliable statistics indicating the effectivenes of any rehabilitation programs carried forward by State-aided clinics for alcoholics State hospitals and State-aided hospitals receiving alcoholics

(b) To take such other steps as may be necessary to procure such information and data as may be deemed helpful in the treatment and rehabilitation of alcoholics

(c) Welfare

Section 2120 Definitions As used in this division of this article

(a) "State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for mental health patients or any other institutions for feeble-minded or epileptic persons or for juvenile delinquents and dependents and charitable institutions within this Commonwealth maintained in whole by the Commonwealth and whose boards of trustees are departmental administrative boards within the Department of Health and Welfare

(b) "Children's Institutions" shall mean any incorporated or unincorporated organization society corporation or agency public or private which may receive or care for children or place them in foster family homes either at board wages or free or any individual who for hire gain or reward receives for care a child unless he is related to such child by blood or marriage within the second degree or any individual not in the regular employ of the court or of an organization society association or agency duly certified by the department who in any manner becomes a party to the placing of children in foster homes unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof

(c) "Maternity Home and Hospital" shall mean any house home or place in which within a period of six months any person receives for care or treatment during pregnancy or during or immediately after parturition more than one woman except women related to such person by blood or marriage within the second degree

(d) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth either directly or indirectly and to which the Governor does not appoint any member of the board of inspectors managers trustees or directors all houses or places within the Commonwealth in which any mental patient is detained whenever the occupant or owner of the house or person having charge of such patient receives any compensation for custody control or attendance other than as an attendant or nurse and also all institutions houses or places in which more than one such patient is detained with or without compensation paid for custody or attendance all children's institutions and maternity homes and hospitals within the Commonwealth all homes or hospital for crippled children within the Commonwealth except the State Hospital for Crippled Children all prisons jails hospitals almshouses or poorhouses maintained by any county city borough township or poor district of this Commonwealth and all institutions associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed and all houses and places maintained by such institutions associations or societies in which such children may be kept or detained

Section 2121 Supervisory Powers The Department of Health and Welfare shall have supervision over

(a) All State institutions

(b) All supervised institutions as defined in this article

(c) All children's institutions within this Commonwealth

(d) All maternity homes and hospitals within this Commonwealth

(e) Any labor or system of labor carried on in the penal correctional or reformatory institutions of the State

(f) Any system of reparation provided by the Commonwealth for relief from conditions caused by minecaves fire flood or other casualty and constituting a menace to public safety and welfare

(g) All boarding homes for children which have been licensed by the State

Section 2122 Visitations and Inspections The Department of Health and Welfare shall have the power and its duty shall be

(a) To make and enforce rules and regulations for a visitation examination and inspection of all supervised institutions

(b) To visit and inspect at least once in each year all State and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care or treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Health and Welfare or other officer inspector or agent of the department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State or supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State or supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Health and Welfare or to such officer inspector or agent of the department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and inspection of any State or supervised institution any condition is found to exist therein which in the opinion of the department is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State or supervised institution or to the proper maintenance custody safety and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State or supervised institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers shall fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceeding to enforce compliance therewith or the department may withhold any State money available for such institution until such officer or officers comply with such direction

(d) To cause to be visited and examined any person found by an inquisition to be mentally ill and to authorize such visiting and examining by an officer or agent of the department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such person or to a judge of a court of common pleas of the county in which such person is a resident or detained to make such orders for the maintenance custody or care of such person and for the care and disposition of the property of such person as the case may require

Section 2123 Appointment of Visitorial Bodies The Department of Health and Welfare shall have the power to appoint a board of three or more members in any county of the Commonwealth to act without compensation as a board of visitors to visit any supervised institution in such county in aid of and as the representative of the department such board to make a report of such visitation

as the department may require It shall be the duty of the officers or other persons having charge of such supervised institution to afford full facilities for such board to make an examination and inspection thereof

Section 2124 Promotion of County Welfare Organizations The Department of Health and Welfare shall have the power to promote the organization of county councils of social agencies and county welfare boards the purpose of which shall be to coordinate the social welfare activities of the counties

Section 2125 Recommendations The Department of Health and Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein whereupon it shall be the duty of such officers or other persons to adopt and put into practice such standards and methods

Section 2126 Transfer Parole or Discharge of Patients The Department of Health and Welfare shall have the power

(a) To apply to the proper court for the transfer or removal of mental health patients from county or district poorhouses almshouses hospitals or in the custody of the directors or overseers of the poor to the State mental hospitals

(b) To transfer the indigent mental health patients from State mental hospitals to the almshouses poorhouses or prisons of the several counties charged with their maintenance

(c) To transfer patients or inmates from one State mental hospital to another such hospital

(d) To transfer a committed mental patient from a licensed private hospital or institution to a State or licensed county hospital and vice versa

(e) To apply to the proper court for the removal to a mental hospital of any person imprisoned in a penitentiary or prison and believed to be mentally ill

(f) To transfer a committed inmate from one type of institution under the supervision of the department to another type of institution under its supervision

(g) To investigate and be heard before an order is made in any case to remove to any place of custody other than a hospital any criminal confined in a hospital by order of any court or any mental patient committed to a hospital after an acquittal of crime

The cost of the transfer or removal and of the maintenance of any mental patient transferred by or under the direction or upon the application of the Secretary of Health and Welfare or other officer of the department pursuant hereto shall be borne and paid in the manner provided by law in the case of any such transfer or removal

All traveling expenses of indigent mental patients discharged by order of the department from any State mental hospital from the hospital to their respective homes shall be paid by the hospital the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent mental patients then current

(h) To order and compel the parole or discharge of any person detained in any place as insane or of unsound mind other than a person committed after trial and conviction for crime or by order of court but the department shall not make any such order unless notice be given to the person having charge of the building in which and to the person or persons at whose instance the patient is detained and reasonable opportunity given them to justify a further detention and the department has caused the case of the patient to be personally attended and examined by its officer or agent

Section 2127 Child Welfare The Department of Health and Welfare shall have the power and its duty shall be

(a) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State to return such child to the State of its legal residence and to enter into appropriate contracts with such State relative thereto

(b) To exercise any other powers and perform any other duties with regard to the bringing into this Commonwealth dependent delinquent or defective children which may now or hereafter be authorized or imposed by law upon the department

(c) To make and enforce such rules and regulations for the effective enforcement of this section as shall be deemed advisable and appropriate

Section 2128 Restoration The Department of Health and Welfare shall have the power and its duty shall be

(a) To require and supervise the transfer of inmates from one State penal or correctional institution to any other State penal or correctional institution

(b) To formulate and put into operation plans for the classification of State penal or correctional institutions and also to formulate and put into operation a program for the classification of inmates so that the inmates may be grouped in those institutions which have the proper facilities

(c) To request from any or all magistrates chiefs of police sheriffs district attorneys courts judges probation officers and all others concerned in the control apprehension trial and punishment of criminals and delinquents in this Commonwealth periodical reports as to the number and kind of crimes reported the numbers age sex color nativity and offenses of criminals and delinquents arrested tried and otherwise disposed of the sentences imposed and whether executed or suspended the number placed on probation and the reasons therefor the number of probation officers and the nature of the oversight exercised over those placed on probation and for the purpose of verifying the reports so made the department shall have the power to make such further inquiry or investigation as may seem to it necessary and it shall be the duty of all such magistrates and other officers to make such reports at such time or times and to furnish such facilities for investigation and such cooperation as the department may require

Section 2129 Inmate Labor The Department of Health and Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern State Penitentiary the Western State Penitentiary the Rockview Penitentiary the new Eastern State Penitentiary at Graterford the Pennsylvania Industrial Reformatory at Huntingdon and such other penal or correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to such institutions who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of doing printing or of manufacturing and producing supplies or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or the performance of other work in State forests or for the purpose of industrial training or instruction or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other penal or correctional institutions of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To contract to sell or sell the articles manufactured or produced in the said industries carried on in the said penitentiaries reformatory or other penal or correctional institutions which cannot be used therein to the Commonwealth or to any county city borough township school district or poor district thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth or to the Government of the United States or any department bureau commission or agency thereof or to any other State or political subdivision thereof or to any institution receiving aid from the Government of the United States or of any other State

(d) To arrange for the employment of inmates of such institutions at such work or labor within or upon the grounds of such institutions as may be necessary for the maintenance of the institutions or the raising of food products therefor

(e) To charge to each such institution such rate per

diem as may be paid by the department to such inmate hereunder for his services for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor

Also to collect from each such institution for any manufactured supplies or products used by it the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor All amounts collected by the Department of Health and Welthe Department of Revenue into the Manufacturing Fund fare from such institutions hereunder shall be paid through in the State Treasury and all such amounts shall be considered a part of such institutions' maintenance expense

(f) To charge to each such institution in like manner for the labor of all inmates engaged in preparing materials for the construction of buildings or in doing construction work such payments to be made by the institutions out of funds available for construction work All moneys received hereunder shall be paid into the Manufacturing Fund through the Department of Revenue

(g) Through the Department of Revenue to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the institutions This clause shall not however apply to the sale of surplus food products or products of the soil as elsewhere in this act permitted

(h) To pay out of the Manufacturing Fund all expenses necessary for the proper conduct of the work of the department pertaining to the establishment maintenance and carrying on of industries in the State penal and correctional institutions including the payment of salaries wages and other compensation of superintendents managers supervisors chairmen clerks assistants and other employes engaged in the operation and management of such industries the payment of wages for the labor of inmates of such institutions the payment of rentals and other expenses for offices rooms garage space and other accommodations outside of the Capitol buildings either in or outside the city of Harrisburg the erection construction alteration or repair of buildings necessary to house such industries the payment of premiums for workmen's compensation insurance covering officers and employes and for surety bonds for such officers and employes as may be required by law to furnish such bonds the purchase and the payment of the operating cost of motor vehicles required for full-time use including premiums and liability insurance covering such motor vehicles for officers and employes operating them the payment of mileage charges to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use the purchase of machinery equipment furniture materials supplies and commodities the payment of charges to the Department of Property and Supplies for any purchases or services made through the Purchasing Fund and for the payment of all other necessary expenses

Estimates of the amounts to be expended from the Manufacturing Fund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations and it shall be unlawful for the Department of the Auditor General to honor any requisition for expenditures or moneys out of this appropriation in excess of the estimates approved by the Governor Subject to this provision the Department of the Auditor General shall from time to time draw warrants upon the Treasury Department for the amounts specified in such requisition not exceeding however the amount in the Manufacturing Fund at the time of the making of any such requisitions

(i) To require that an account shall be kept by the proper officers of each said penitentiary reformatory and other correctional institution of the labor performer by inmates In such account shall be shown the time each inmate is actually engaged in work the rate of wage at which he is to be paid which shall be regulated by the department In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuuniary value of the work performed and also on the willingness industry and good conduct of the inmate All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund to be disbursed or held by such institution in the manner following

Three-fourths of the amount of wages payable to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes shall constitute a fund for the relief of any person or persons dependent upon such inmate and shall be paid upon the order of the board of trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such board at such time or times as said board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner provided however That subject to the rules and regulations of the board of trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the department

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(k) To the extent to which it is unable to provide work for every physically able inmate of such institutions to authorize the several boards of trustees of such institutions to permit inmates to engage in such work or industries as the department may approve and which they are able to provide from other sources but all such work shall be performed the products thereof sold and the proceeds thereof disposed of under the rules and regulations of the department covering the same

(l) To supervise the establishment in other State institutions of industries classes in occupational therapy and other means for the employment and training of inmates or patients

Section 2130 Mental Health The Department of Health and Welfare shall have the power and its duty shall be

To administer and enforce The Mental Health Act of 1951 and any other laws of this Commonwealth relative to the prevention of mental diseases mental defects epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

Section 2131 Approval of Plans and Mortgages The Department of Health and Welfare shall have the power and its duty shall be

(a) To approve or disapprove all plans for the erection or substantial alteration of any State or supervised institution receiving aid from the Commonwealth

(b) To investigate and report to the Auditor General upon every application to the Auditor General made by any institution corporation or unincorporated association desiring to give a mortgage under the provisions of the act approved the twenty-ninth day of April Anno Domini one thousand nine hundred and fifteen (P. L. 201) entitled "An act making mortgages given by benevolent charitable philanthropic educational and eleemosynary institutions corporations or unincorporated associations for permanent improvement and refunding purposes prior liens to the liens of the Commonwealth for the appropriation of moneys providing a method for the giving of such mortgages and fixing the duties of the Auditor General and Board of Public Charities in connection therewith"

Section 2132 State Institutions With regard to State institutions the Department of Health and Welfare shall have the power and its duty shall be

(a) To determine the capacity of such institutions

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such institutions for the payment out of moneys specifically appropriated to the department for the purpose of the expenses of administering operating maintaining and developing such State institutions

(d) To require the submission to the department of any contract for repairs alterations or equipment which any such State institution desires to make and to approve or disapprove such proposed contract No such contract shall be valid without the approval of the department as evidenced by the signature of the Secretary of Health and Welfare

Section 2133 Stores at State Institutions With regard to State institutions the Department of Health and Welfare shall have the power to authorize the construction of separate buildings or the addition to or improvement of existing buildings for the purpose of operating and conducting therein a store or canteen for the convenience and benefit of the inmates or patients of such institutions out of moneys appropriated therefor by the General Assembly or from moneys derived from the operation of any such stores or from grants or gifts offered for such particular purpose

Whenever any such construction addition or improvement is made for such purpose the same shall become the property of the Commonwealth regardless of the source of the funds used in connection therewith

Section 2134 Utility Services for State Institutions For the purpose of providing utility services for State institutions the Department of Health and Welfare may execute such agreements and contracts as it may deem necessary therefor with any political subdivision or any authority to provide utility services and for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority or political subdivision for the purpose of acquiring holding constructing improving maintaining and operating sewage systems water supply systems electric power gas steam or other utility systems

Payment of the costs of such expenses charges and services shall be made from appropriations to the department for such purposes in accordance with the agreement made by the department

Section 2135 Care of the Indigent The Department of Health and Welfare shall have the power and its duty shall be

(a) Whenever the General Assembly shall have specifically appropriated money to the department for the purpose to issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such hospitals homes and institutions as shall conform to at least the minimum standards of plant equipment service administration and care and treatment necessary for the proper care and treatment of patients or inmates as required by the rules and regulations of the department or established by law in amounts computed upon the per diem rates of payment established by law for free service to indigent persons as follows

1 The care and treatment of sick or injured persons in hospitals

2 The care of dependent delinquent and defective children in homes or institutions

3 The care of dependent adults in homes and institutions

4 The care and treatment of crippled children in homes or hospitals

5 The care treatment and removal of mental patients in private institutions licensed by the department

6 The removal of nonresident dependent children

7 The placement of dependent children through child-caring agencies

(b) To approve requisitions issued by hospitals homes or institutions to which the General Assembly shall have appropriated money for the care and treatment of indigent persons if such hospitals homes or institutions shall conform to at least the minimum standards of plant equipment service administration and care of treatment necessary for the proper care and treatment of patients or inmates as required by the rules and regulations of the department or established by law and if such requisitions are in the amounts to which such hospitals homes or institutions are entitled according to law

(c) To establish rules and regulations not inconsistent with law prescribing minimum standards of plant equipment service administration and care and treatment for State-aided institutions and for determining the number of free days of care and treatment rendered to indigent persons by hospitals homes or institutions

Section 2136 State Welfare Commission The State Welfare Commission shall have the power and its duty shall be

(a) To advise the Secretary of Health and Welfare on such matters as the secretary may bring before it or as the commission may require the secretary to bring before it

(b) To have general supervision over the policies of the department in the administration of laws relating to welfare and in the administration of laws in which that duty is imposed upon the Department of Welfare

(c) From time to time to approve or disapprove the rules and regulations of the department relating to welfare laws and relating all laws in which the duty of administration is imposed upon the Department of Welfare

Section 2137 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Health and Welfare shall have general direction and control of the property and management of such institution it shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Health and Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The board of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview

Board of Trustees at Rockview of the Minimum Security Prison at Rockview

The Pennsylvania Industrial School at Rockview

The Pennsylvania Institution for Delinquent Defectives at Rockview

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees of the Pennsylvania School for Girls of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School at Morganza of Pennsylvania Training School at Morganza

Board of Trustees of Pennsylvania Training School at Kis-Lyn of the Pennsylvania Training School at Kis-Lyn in Luzerne County Pennsylvania

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital at State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anhtracite Coal Regions of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The forgoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight

Section 2138 State Council for the Blind The State Council for the Blind shall have the power and its duties shall be

(a) To formulate a general policy and program for the prevention of blindness and for the improvement of the condition of the blind in this Commonwealth Such policy and program shall be modified from time to time as may be found necessary or advisable in the light of improvements in method and practice

(b) To make recommendations in accordance with such policy and practice to the several executive and administrative departments boards and commissions of this Commonwealth and to any public or private agencies therein which may be in any way concerned with work with or for the blind

(c) To cooperate with State and local agencies both public and private in taking steps to prevent the loss of sight in alleviating the condition of blind persons and persons of impaired vision in extending and improving the education advisement training placement and conservation of the blind and in promoting their personal economic social and civic well-being

(d) To act as a means for communicating with other State agencies public or private and with national agencies and to cooperate in efforts to procure an enactment of legislation regarding the prevention of blindness the improvement of the blind or the regulation of private agencies for the care of the blind

(e) To collect systematize and transmit to the Department of Property and Supplies for publication and distribution to other agencies information in regard to blind persons and persons of impaired vision in this Commonwealth including their present physical and mental condition the causes of blindness and the possibilities of improvement of vision their financial status and earning capacity for education and vocational training and any other relevant information looking toward the improvement of their condition

(f) To refer cases of blind persons or problems in relation to the blind or prevention of blindness to such agencies public or private as may be likely to deal most successfully with them

(g) To encourage the cooperation of all agencies public and private doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness

(h) To supervise the expenditures of State appropriations made to such agencies except in cases in which such supervision is by law within the powers or duties of some other administrative department board or commission

(i) To furnish or make available medical treatment surgical operations eye glasses and other necessary aids or services including transportation to needy blind persons or persons with impaired vision for the purpose of improving conserving or restoring their vision These services and aids shall not be furnished unless they are otherwise unavailable and in no case shall the total cost thereof exceed two hundred fifty dollars ($250) per person

(j) To take any action and to adopt any regulations necessary to carry out the objectives of this section and in furtherance of those objectives to accept any grants or contributions from the Federal Government or any agency thereof

Any such grants or contributions shall be held by the State Treasurer as custodian for the State Council for the Blind and shall be paid out on requisition of the State Council for the Blind without further appropriation

(k) To improve the condition of the blind by supplying where not otherwise available home instruction and training for educable blind persons in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial

(l) For the purpose of improving the economic conditions of the industrially blind to furnish and make available medical and psychological examinations medical and surgical treatment hospitalization prosthetic appliances and aids vocational counseling and guidance prevocational and vocational training transportation for medical and training purposes maintenance for medical and training purposes placement in suitable employment with necessary occupational tools and equipment and post-placement employment adjustment these services to be made available to residents of the Commonwealth who have reached their sixteenth birthday and who have a thirty percent or greater loss in visual functioning and who are suffering from a static permanent employment handicap by reason of this loss of visual functioning

Section 2139 Crime Prevention The Department of Health and Welfare shall have the power and its duty shall be

(a) To investigate the general subject of crime pre-

vention in all of its phases with particular attention to the subject of the economic value to the Commonwealth of crime prevention

(b) To stimulate the various state departments to develop their facilities and methods to control the factors entering into delinquency and crime

(c) To visit study and evaluate conditions in communities throughout the Commonwealth and advise local agencies as to organization and development of needed programs

(d) To collate interpret and publicize statistics and reports relating to the problem of juvenile delinquency and crime

(e) To prepare and sponsor legislation bearing upon the many specific problems incident to crime prevention

(f) To take such other steps as may be necessary to procure such information and data as may be deemed helpful reduce and prevent crime

(d) Public Assistance

Section 2150 Definition As used in this division of this article

(a) "Assistance" means assistance as defined by the Public Assistance Law

(b) "Local Board" means a board established by law and authorized to provide assistance in one or more counties including until abolished in accordance with law any board of trustees of the Mothers' Assistance Fund or Board of Trustees of Pension Fund for the Blind

Section 2151 Public Assistance The Department of Health and Welfare shall have power and its duty shall be

(a) To administer and carry out the provisions of the Public Assistance Law and in so doing to supervise local boards and to allocate to them on the basis of need and as may be required for blind pensions funds with which to provide assistance and funds for administrative expenses

(b) To take any other action authorized or required by this or any other law

Section 2152 State Board of Public Assistance The State Board of Public Assistance shall have the power and its duty shall be

(a) To approve or disapprove and adopt rules regulations and standards consistent with law recommended by the Department of Health and Welfare and local boards as to eligibility for assistance and as to its nature and extent To establish for the department and local boards rules and regulations concerning the administration of the Public Assistance Law

(b) To study the work of the Department of Health and Welfare relating to public assistance and from time to time to recommend to the Governor changes in administrative policy or in the law

(c) To take any other action authorized or required by law

Section 14 Articles XXIII and XXV-A of said act are hereby repealed

Section 15 (a) The Department of Health the Department of Welfare and the Department of Public Assistance as now constituted are hereby abolished and the powers and duties vested by law in the Department of Health or the Secretary of Health the Department of Welfare or the Secretary of Welfare the Departmnt of Public Assistance or the Secretary of Public Assistance are hereby transferred to and hereafter shall be exercised by the Department of Health and Welfare or the Secretary of Health and Welfare

(b) This act shall not affect pending actions or preceedings civil or criminal brought by or against the Department of Health or the Department of Welfare or the Department of Public Assistance or their officers but such actions or proceedings may be prosecuted or defended by the Secretary of Health and Welfare as if originally begun by or against him Nor shall any provision of this act affect any rule or regulation or any order or recommendation made by or any other matter or proceedings before the Department of Health or the Department of Welfare or the Department of Public Assistance All such matters and proceedings pending on the effective date of this act shall be continued before the Department of Health and Welfare

(c) All employes of the Department of Health Department of Welfare and Department of Public Assistance on the effective date of this act shall become employes of the Department of Health and Welfare and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the Secretary of Health and Welfare Persons who upon the effective date of this act are employes of the Department of Health Department of Welfare or Department of Public Assistance shall retain all retirement rights shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the Department of Health Department of Welfare and Department of Public Assistance had not been abolished

(d) All existing contracts and obligations of the Department of Health Department of Welfare and Department of Public Assistance shall remain in full force and effect and shall be performed by th Department of Health and Welfare

(e) The unexpended balance existing on the effective date of this act in any funds or appropriations of the Department of Health Department of Welfare and Department of Public Assistance is hereby transferred to the Department of Health and Welfare for the same purpose as expressed in any act creating or authorizing such funds or appropriations and any such unexpended balance also is hereby transferred to the Department of Health and Welfare for the payment of any bills or encumbrances incurred by the Department of Health Department of Welfare or Department of Public Assistance prior to and remaining unpaid on the effective date of this act

Section 16 The provisions of this act shall become effective on

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Bane,	Heluska,	McCreesh,	Stiefel,
Barr,	Holland,	McGinnis,	Toole,
Blass,	Kopriver, Jr.	McMenamin,	Wade,
Camiel,	Lane,	Miller,	Walker,
Dent,	Leader,	Pechan,	Weiner,
Diehm,	Madigan,	Peelor,	Wood,
Fleming,	Mahany,	Ruth,	Yosko,
Freed,	Mallery,	Silvert,	

NAYS—14

Berger,	Kessler,	Stevenson,	Watkins,
Chapman,	Letzler,	Taylor,	Watson,
Hare,	McCusker,	Wagner,	Wolfe,
Harney,	Propert,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 347, entitled:

An Act providing for the sale of the State medical and surgical hospitals and for the disposition of the purchase moneys therefor

And said bill having been read at length the third time,

On the question,
Will the Senate agree to the bill on third reading?

MOTION THAT SENATE BILL No. 347 BE RECOMMITTED TO COMMITTEE

Mr. DENT. Mr. President and Members of the Senate, I might suggest that this bill should be recommitted to committee, because there is another bill replacing it, doing identically the same thing, except that it has a different effective date, an effective date which makes it possible to carry out the provisions of the act. If this bill is now passed as it is written, it will be impossible for the State to carry out the program contained therein. An identical bill has been introduced by Senator Mahany and myself, which will take the place of this bill. I think it is Senate Bill No. 386, and it is on the Calendar today.

Therefore, Mr. President, with the permission of my co-sponsor, I move that this particular bill be recommitted to committee.

(The Senate was at ease.)

MOTION THAT SENATE BILL No. 347 BE RECOMMITTED TO COMMITTEE WITHDRAWN

Mr. DENT. Mr. President. I have to take back everything I said; destroy the record and start all over.

Mr. PRESIDENT, I wish to withdraw my motion to recommit Senate Bill No. 347.

And the question recurring,
Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, Senate Bill No. 347 is all right. That is the bill which has the provision in Section 6 which allows the orderly sale and conveyance of the hospitals, if the bill passes. Therefore, I would ask my colleagues to support this bill.

Mr. HALUSKA. Mr. President, now, once again here, we have the opportunity to save money, because if you analyze the situation carefully you will find that State-owned hospitals are costing the Commonwealth enormous sums of money. They are not being managed properly; they compete with nonprofit hospitals; they are out at every turn; they drop room rents; they pay higher salaries; and then they come back to us for deficiency appropriations. Most of them are run by doctors who, as I said awhile ago, have very little ability as administrators.

Mr. President, if you sell those hospitals and put them back in the hands of nonprofit organizations, the Commonwealth will save millions of dollars in the years to come.

And the question recurring,
Will the Senate agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. WAGNER. Mr. President and Members of the Senate, I realize that this is one of those measures which is part of the outcropping of the Chesterman Report, on which we rather largely stand on our own judgment, but I rise in place as one Senator to ask my colleagues on both sides to very carefully and very seriously consider what this proposel would do.

Mr. President, to begin with, there is a need for these institutions. If we had reached the place where we had more hospitalization available than the people of Pennsylvania needed, then we might very well consider the feasibility of discarding or stepping away from our responsibility on some of these State-owned hospitals. As a matter of fact, the need for hospitalization is intense.

There is no such thing, Mr. President, if I may suggest it, as competition between these State institutions and private hospitals, because today, yesterday and tomorrow, private hospitals have been, are and will continue to add wings and enlargements to their institutions, in order that they may satisfy the demands for health services which come from patrons and from patients. In addition to these private hospitals, these hospitals are so busy that within the last couple of years, the General State Authority has been authorized by our votes to expend the money of the State upon wings, additions and improvements to these State hospitals so that they might provide all of the services which the public demands.

Mr. President, if you dispose of the hospitals, are you going to continue to appropriate money here to liquidate the obligation of the General State Authority? Dare we put ourselves in the position where we foolshily authorize at one Session of the Legislature additions to, and enlargements of, our State hospitals by the General State Authority with State money, and then turn around and dispose of them on the assumption that we do not need them?

Mr. President, I do not care to debate, particularly today, the management of these hospitals. I do not even care especially to correct the record, in so far as it was stated that they are managed by doctors who are not good administrators. I have three of these State hospitals in my own Senatorial District. They have three superintendents, not one of whom is a physician, so that there is not necessarily professional medical administration.

Mr. President, particularly do I want to point out the fact that these hospitals are taking care of people who must be given hospital service. Whether you put them in a State hospital, or whether you put them in a private hospital, the State has to reimburse hospitals for charity patients and for free service.

Much ado is made of the appropriations for the management of State hospitals, Mr. President. Nothing is said of the fact that some revenue comes back from the hospitals which, of course, diminishes substantially the cost to the State, and which very likely means these State-owned hospitals do not cost the treasury of the State of Pennsylvania any more than we would pay to compensate and recompense private hospitals for free services which they have to render to indigent people and the unfortunately ill who cannot pay for their own.

Mr. President, I cannot, frankly, conceive of what the reaction of the public would be, all around the State, if we arbitrarily discontinued this hospital service. Would we expect that local communities are going to buy these hospitals? They certainly would not buy the one nearest to where I live, because when the hospital was built originally, thousands of miners gave at least a day's wages, each as their local contribution, toward the establishment of a hospital in which miners who were ill and injured could be taken care of. To them, it is partially their institution now, because they advanced probably the initial funds to make possible the construction. You do not pay for something twice. They do not want to buy it over again.

If it is not taken over locally, Mr. President, then you would put it out to bid, and you would let those who are

interested buy these hospitals for the value of the bricks, and the tile and the timber that might be in them. I, for one, would certainly be exceedingly reluctant to see a situation of that kind, where State established services are being destroyed for a few paltry dollars when the sick, and the ailing and the afflicted are crying out and demanding, as they will, that the State find some place to take care of them.

If for no other reason, Mr. President, than the fact that in many cases these hospitals already have been partially paid for locally, and for the fact that we have gone ahead with our General State Authority and invested more money in them recently, as recently as this biennium, and, most important of all, the fact that we need, in Pennsylvania today, all of the hospitals on which we can lay our hands to properly service the sick who need attention, I hope, regardless of politics, and I know that this is not a political or a partisan matter, your good judgment will prompt you to put at ease, once and for all, the people who are depending on these hospitals for their health and well-being, and defeat this bill.

Mr. DENT. Mr. President, I do not believe that we want to get into a debate on the merits of this particular bill. However, the principle involved is one that deserves some consideration at this time.

In the first place, Mr. President, these hospitals should never have been built under the program which created them. We have sixty-seven counties in the Commonwealth of Pennsylvania. Six counties in the Commonwealth of Pennsylvania had the benefit, and have had the benefit for many years, of the use of taxpayers' money, collected all over the Commonwealth in the sixty-seven counties. They have had these hospitals built for them by State moneys and with State moneys. The other sixty-one counties have provided hospitals for their people out of the private funds and local funds of the citizens. We give to these ten hospitals approximately $11,000,000 a biennium as against $16,000,000 for 182 other hospitals in the Commonwealth.

Mr. President, it is a question of the principle involved. Maybe what the Senator is talking about is absolutely true. Maybe this is the wrong time to relinquish control, but basically all we are trying to do is to give to these communities these hospitals, at little or no cost to them. So far as we are concerned, it would be a great saving in money to the people of Pennsylvania if we gave them to the communities for nothing, because then they would be responsible for the operation and maintenance of the hospitals. Instead of receiving approximately $11,000,000 out of the public till, they would receive their share of aid to the various hospitals which would amount to, probably in their case, because of the distressed districts in which they are situated, I would say that the maximum they would receive from the Commonwealth would not exceed two and one-half million dollars.

Mr. President, I know also that certain moneys collected at these hospitals come back to the General Fund of the Commonwealth, amounting to something like four and three-quarter million dollars a biennium, but the total saving would be approximately three and one-half million dollars to the people.

Mr. President, setting aside any savings, back in the days when these hospitals were built, the coal operators and the railroad operators of the Commonwealth of Pennsylvania were strong enough in the legislative halls to have these hospitals created for them, to take care of their injured workmen and to fight off the passage of a Workmens' Compensation Act in the Commonwealth of Pennsylvania. That is all they were created for; it was the only reasoning behind the creation of this particular debt upon the Commonwealth. It never was the responsibility of the Commonwealth, and if it was not the Commonwealth's responsibility then, it cannot be now.

Mr. President, faced with the situation that we are in today, I believe it would pay the Commonwealth of Pennsylvania to turn these hospitals over to the communities absolutely free. If you will read this legislation, you will see that it can be done. However, the gentleman spoke of the General State Authority. What he said is true. We have spent considerable money from the General State Authority to expand and repair these hospitals, but every hospital has a debt against it of the exact amount that was spent for that particular hospital. When they are put up for sale, or a sale is negotiated, they will have to consider the debt against the hospitals because that is a first mortgage on the property, and the General State Authority would have returned to it the moneys which have been expended to repair, and rebuild and to extend the facilities.

I say, Mr. President, in this particular legislation, the same as the legislation we discussed earlier this afternoon, this is another time when this Legislature has an opportunity to establish a principle in government that should never have been violated in the first place.

Therefore, Mr. President, I suggest to the Members of the Senate that it may appear to be a harsh decision to make at this time, because we all know that the anthracite and the bituminous regions are not in a very healthy economic state, and perhaps it may create some hardship in some cases, but we cannot justify keeping free State-owned hospitals in six out of sixty-seven counties. It cannot be justified because, in the first place, if you have free hospitals there, then every community is entitled to the same consideration under our Constitution.

Mr. President, my home town is now in the process of building a hospital; we have never had one. The neighboring hospital has become too crowded and my community is building a new, modern hospital, but they are doing it with public subscriptions, taken up by the hospital committee among the various industries and the citizenry of that community who are to be serviced. I believe that if you will go back into the history, you will find that the vast majority of hospitals in this Commonwealth were built by the same type of a program.

These hospitals should belong to the local communities, Mr. President, and that is all this legislation aims to do, give them the responsibility for the operation.

Mr. MALLERY. Mr. President, I would not be a party to have these hospitals abandoned or turned over to individuals who would operate them as other than hospitals. I realize that a number of these hospitals are located in distressed areas.

Mr. President, on other occasions, in dealing with airports, I recall that the State turned over the State-owned airport at Martinsburg, in Blair County, for one dollar. I think that all of the hospitals in the State should be handled by local people.

Therefore, Mr. President, if this bill would not provide for a gift of the hospitals to the localities, I would

not vote for the bill. I am not certain whether that is possible. May I ask my colleague, Senator Letzler, in whose district there is a State-owned hospital, whether that is possible.

Mr. LETZLER. Mr. President, it is possible but it is not in the bill.

And the question recurring,

Shall the bill pass finally?

REQUEST THAT BILL GO OVER IN ORDER

Mr. MALLERY. Mr. President, I request that this bill go over in its order, so that provision can be made to make a gift, by the State, to the localities wherein these hospitals are located, and possibly have an extension of time in order to work the matter out, perhaps a year, I would suggest.

The PRESIDENT. Is there objection?

Mr. WAGNER. Mr. President, it seems to me, making due allowance for the suggestion of the Senator from Blair, which I know was given in the best of faith, we might better resolve and dispose of this issue while the pertinent information given by a number of people is very fresh in our minds.

We are thinking about health, and welfare and people this afternoon, Mr. President. Senator Dent made some very appropriate observations, in some of which I concur. He spoke regarding the assistanc program and the amount of overhead involved at a time when we have untold prosperity and employment, historically at a peak both in the Nation and in Pennsylvania. Yet, if any man in this Senate recalls the last bulletin he received from the Bureau of Unemployment Compensation, in the Department of Labor and Industry, he will find that the unemployment rolls in the anthracite counties are terrific, and are increasing right now at a time when employment generally is at a top level. Last week, a coal operation in Schuylkill County gave up the ghost and idled four hundred men. Twice, similar experiences have happened within the last three months. Of all times, Mr. President, never could there be a worse time to unload these institutions back on the local people.

I would like to point out, Mr. President, that this is not my prejudiced opinion, that it is not just a case of a guy putting up a battle for his own home town or county, but the experts seem to agree on that.

Two or three sessions ago, Mr. President, Secretary Brown, of the Welfare Department, and I do not think he could have any objection to my quoting him here, came to me on this floor and asked me would I carefully consider ways and means of putting these hospitals back on the local municipalities or local associations. He seemed to feel that it would be a relief, a burden taken off the back of the State. In a hearing of the Appropriations Committee, at which the Welfare Department appeared, within the last couple of months, Secretary Brown referred to his original position. He said he is now convinced that the State would be no better off financially if those hospitals were given up, than it is if we keep them and take care of the people who need attention.

Mr. President, we talk about workmen's compensation. I do not know, I am a comparatively young fellow yet, whether the coal companies did what the Senator said in regard to evading occupational disease claims by getting the State to build a hospital. I never heard it that way. I heard it was a demand that grew up and sprung up from the working men, who started this thing by their offer to give a day's pay in order that they might have hospitalization.

Surely our position on workmen's compensation, Mr. President, our position on occupational diseases, has been well-established as recently as the last Session, in which we helped carry the ball in order to liberalize and lift it once again.

It is protecting nobody except the people who need these services, Mr. President, and I do it somewhat reluctantly, but I object to the Senator's request that the bill go over, and I ask that we dispose of it, if agreeable, this afternoon.

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. MALLERY. Mr. President, there has been a question raised as to whether or not the State could waive the indebtedness to the General State Authority. I do not presume to be able to answer that question. I had hoped that we could get an opinion from the Attorney General on this matter, but if we cannot do it, we cannot do it.

Therefore, Mr. President, I withdraw my request that this bill go over in order.

And the question recurring,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, I listened with a great deal of interest to the discussion of the bill here before the Senate, and I am convinced that each of the Senators who spoke on it is sincere in speaking as he did. However, I would like to go on record as being in accord with Senator Wagner's remarks.

Mr. President, this legislation must be considered in the light of the background of the communities in which these hospitals are placed. Most of them are in coal regions, and I think all of us know that for years the coal industry has been a sick industry. For that reason, the conditions in those areas, economically, have been rather poor. Now, many of the coal areas are gradually making a transition from a coal economy, or from a single industry economy, to a more diversified type of industrial economy. Many new factories have been relocated and placed throughout the coal regions, particularly in northeastern Pennsylvania, and in years to come we hope to enjoy a fuller measure of prosperity than we have had in recent years.

Mr. President, personally, I have tried to vote for as many of these economy bills as possible. I think I voted for a great majority of the Chesterman Committee bills up to this point. However, in my opinion, this bill does not represent economy. This is an attempt to close the State hospitals. With the effect it would have upon the poor and the needy in the communities in which they are located, on the communities themselves in the light of their economic conditions, this bill represents a false economy.

Mr. President, it has been pointed out here that almost 200 hospitals throughout the State receive same State aid, and the Secretary of Welfare has been quoted as stating that it would not represent a saving to take these hospitals out from under direct State ownership, and then give them a grant as a State-aided institution if they were in community hands.

Mr. President, I ask each and every Senator, before voting, to consider very seriously the effect it would have on the communities, and the nature of the communities, in which these hospitals are located. I believe that if you do, you will vote against this bill, in the belief that this is not the proper time to turn over to these communities the State-owned hospitals.

Mr. HALUSKA. Mr. President, I am not laboring under any misapprehensions. I do not think the bill is going to pass, but at least I should have the right to say what I think.

Mr. President, I do not agree with my colleague from Schuylkill County, but I am in sympathy with he and my colleague from Lackawanna County. Out of sixty-seven counties, as my colleague from Westmoreland, Senator Dent, pointed out, we have six counties wherein they have State-aided hospitals. In sixty-one counties, we have civic minded people who realize they have some responsibilities and who, through efforts of their own, in conjunction with coal operators, civic clubs, fraternal clubs, payroll deductions and whatnot, have maintained their hospitals throughout the years.

Mr. President, when we come to the Appropriations Committee and point out to that committee that we are getting a mere pittance of $6.50 per day, per ward patient, what are we told? We are told to go back home and make our people understand that we have a certain responsibility to maintain the sick. Today, the hospitals throughout the Commonwealth are asking this same committee to raise the stipend from $6.50 per day to $8.00. How far have they gotten? We have no assurance that we will receive $6.50 per day.

Mr. President, every man here knows that it is impossible to care for a patient in any hospital for less than twice that amount. Certainly these gentlemen who are getting a free ride, may I say, who have these hospitals, should be interested. Perhaps I would be, too, if I had a free hospital. As I said a moment ago, sixty-one counties carry their own load, and six counties depend entirely upon State taxes.

Mr. President, we talk about coal mines closing down, and that this is a bad time to do it. Since the Eisenhower administration has taken over, my county is in a depression. We never had it so bad. Every week, for the last several weeks, when I go back home, I pick up the daily papers and find where some coal mine has closed down. They are pulling out their rails, the machinery, and all that is saving Cambria County right now is the fact that they are receiving unemployment compensation. When that expires, they will apply for relief. Still we have civic minded people who, throughout all depressions, have maintained their hospitals and cared for the sick.

Mr. President, I say to you that under this bill we have until 1958 to make some manner of sale. I agree with my colleague from Blair County that I, for one, would not go along with selling this property for industrial plants. However, I say, in Schuylkill County and Lackawanna County, you will find civic minded people who will incorporate under the laws of the Commonwealth and maintain these hospitals. My good friend, Senator Wagner, called them private hospitals. I do not think he meant to use that term, because we have very few private hospitals, if any, in Pennsylvania. They are not private hospitals; they are nonprofit hospitals, operated by a group of civic minded people who find ways and means of caring for the sick.

Mr. President, it is not fair to the balance of us in the Commonwealth to pay a huge tax to maintain six counties, when sixty-one counties must find ways and means to operate their hospitals.

Mr. LANE. Mr. President, I dislike very much to disagree with my distinguished leader and Chairman of the Democratic Caucus. I am for economy, but I am not for economy at the expense of human misery, privation and want.

Mr. PRESIDENT, I say to you that, in my humble opinion, we need more hospitalization here in Pennsylvania. If you gentlemen will recall, I think it was either in the 1951 or the 1949 Session, we set up machinery whreby we could establish health clinics in every county in the Commonwealth of Pennsylvania. Now, we recognized the need at that particular time, that we needed more hospitalization. It seems to me that if we vote for this legislation, we are doing wrong because, in my humble opinion, Mr. President, what we should do is increase our appropriations.

Mr. President, one of our Members said here a little while ago that the mines were closing down, and people were on unemployment compensation and they were headed for relief. How in the world are we going to economize then, in cutting down relief appropriations, if that is the case! I think it is the case. That is one of the reasons I will not vote for this legislation, because we need these hospitals.

Mr. President, we have many poor people who cannot pay their way regardless of whether the State keeps them or not. We must provide that service. That is society's responsibility, and I, for one, am going to vote against this piece of legislation.

Mr. LETZLER. Mr. President, my colleagues who have these hospitals in their respective communities, I think, made a very excellent statement regarding the need for maintaining these hospitals as they are now as State hospitals.

Mr. President, we are very proud of the Philipsburg State Hospital, which is in Centre County, and which has been built up, certainly, by funds from the State in one sense, but I just want to say this. As Senator Lane has so well said, just a moment ago, only the pepole who very very badly need hospitalization, and are unable to pay for it, have been given any free service in that hospital. We return to the State, I know, upward of seventy per cent of the total cost of maintaining that hospital at Philipsburg. There is a very efficient staff there, an efficient staff of nurses and doctors who certainly do not, in my estimation, take any advantage, but who are ready to give splendid service in their profession to these hospitals.

Mr. President, hospitals are being built daily. We need hospitalization. I do not know what would happen to our community if we were to lose the Philipsburg State Hospital. We would not be able to maintain it. We are badly in need of it in the bituminous region where we reside. The coal business there is just as bad as it is anywhere.

Therefore, Mr. President, I plead with my colleagues to vote against this bill.

Mr. HOLLAND. Mr. President, I do not want the

people to get the impression that these hospitals are being done away with. This bill so states that it gives them until 1958 to find ways and means to form corporations to operate the hospitals. However, if they do not do it by 1958, the hospitals wi l not be sold out; they will still be maintained by the State.

In other words, Mr. President, we are trying to stir up the community, and inspire the community, in order that they get together and take over these hospitals before 1958. If they do not do it by 1958, the hospitals will still exist and will still be operated by the State. We are not trying to deny anyone hospitalization.

Mr. President, I would like to disagree with the gentleman from Centre County, when he speaks about these hospitals being used for people who are in need. It is a strange thing that a few people, a few Democratic Legislators, wrote letters to one of these hospitals for a patient who deserved hospitalization, and the person in charge of admittance told them they had the letter from the wrong person. That is a factual case.

Mr. President, I would like to point out that in this community, if you will look into your free beds, free days of hospitalization within these counties, every person, every man, woman and child must stay five days in a hospital to get the number of free days which they claim they have given to the people of that community.

And the question recurring,

Shall the bil' pass finally?

(During the calling of the roll, the following occurred:)

Mr. STIEFEL. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—18

Barr,	DiSilvestro,	Leader,	Stiefel,
Camiel,	Freed,	McGinnis,	Wade,
Chapman,	Haluska,	Propert,	Weiner,
Dent,	Holland,	Silvert,	Yosko,
Diehm,	Kessler,		

NAYS—28

Bane,	Lane,	McMenamin,	Toole,
Berger,	Letzler,	Miller,	Wagner,
Blass,	Madigan,	Pechan,	Walker,
Fleming,	Mahany,	Peelor,	Watkins,
Hare,	Mallery,	Ruth,	Watson,
Harney,	McCreesh,	Stevenson,	Wolfe,
Kopriver, Jr.	McCusker,	Taylor,	Wood,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 359, as follows:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act re'ating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act re ating to the annual salaries and compensation of certain county officers of counties of the eighth class" as amended by the act approved the eleventh day of October one thousand nine hundred fifty-one (P. L. 1706) is hereby further amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the eighth class shall be as fol ows

(a) The sheriff in counties having a population of less than twelve thousand (12,000) two thousand two hundred dollars ($2,200) and in counties having a population of twelve thousand (12,000) and more but less than twenty thousand (20,000) two thousand eight hundred dol ars ($2,800)

(b) The county commissioners [one thousand five hundred dollars ($1,500)] two thousand ($2,000) each

(c) The district attorney in counties having a population of less than twelve thousand (12,000) one thousand two hundred dollars ($1,200) and in counties having a population of twelve thousand (12,000) and more but less than twenty thousand (20,000) one thousand eight hundred dollars ($1,800)

(d) The county auditors sha l each receive ten dollars ($10) for each day necessarily employed in the discharge of their duties

(e) The jury commissioners shall each receive seven do'lars and fifty cents ($7.50) for each day necessarily employed in the discharge of their duties The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employes

Section 2 The provisions of this amending act shal' become effective immediately upon final enactment and shall be applicable to all pertinent county officers who shall be elected or appointed after the effective date of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bi'l to the House of Representatives for concurrence.

BILLS ON THIRD READING, DEFEATED IN FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 375, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine

(P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring powers and duties relating to professional and vocational licenses and solicitation registration from the Department of Public Instruction and the professional and vocational licensing boards to the Department of State creating professional and vocational advisory boards in the Department of State making the Pennsylvania Aeronautics Commission to the Department of State and abolishing the several professional and vocational examining and licensing boards

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—1

Yosko,

NAYS—45

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	Miller,	Wagner,
Camiel,	Kopriver, Jr.	Pechan,	Walker,
Chapman,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Silvert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Stevenson,	Wood,
Freed,	Mallery,	Stiefel,	
Haluska,	McCreesh,		

Less than a Constitutional majority of all the Senators having voted "aye", the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 377, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the State teachers' college districts discontinuing seven State teachers' colleges abolishing their boards of trustees authorizing the use of the properties for other State purposes of the public sale thereof and conferring powers and imposing duties on certain State officers and agencies

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. PECHAN. Mr. President, I think that of all the Chesterman bills which have been placed before us for consideration, this is the most unreasonable and the silliest thing. I just wonder how silly we can get, that we have to spend money to print bills of this nature.

Mr. President, any of us who have anything to do with education,—I happen to be a member of my local board at home—know how difficult it is to procure teachers. I do not know what the Chesterman Report says we will save if we close these seven State Teachers' Colleges. I do know that in the last biennium, their total appropriation was $11,600,000 for the maintenance and operation of those fourteen State Teachers' Colleges. We have this year before us an appropriation bill of $21,500,000 for another school. This is just one school. However, the total fourteen State Teachers' Colleges have only spent $11,600,000 in the last biennium.

Mr. President, we know that there is only one teacher available for every seven vacancies that exist in Pennsylvania. Teachers in physical education, teachers in industrial arts, art teachers, home economics teachers, are all at a premium; you cannot get any; there just are not any. Now, if we close these seven schools, and some of them specialize in that particular field, I do not know what we are going to do. Our teachers' salaries are mandated at a $2,400 beginning salary. Most school districts have to pay anywhere from $2,700 to $3,000 for a beginning teacher. If we close these colleges, I am wondering where these school districts are going to find the necessary teachers.

Mr. President, I ask all of you to realize the seriousness of this matter, and ask that you vote "no" on the bill.

Mr. HALUSKA. Mr. President, I am going to vote for this bill. My colleague called it a silly bill. I would not call it a silly bill, and I cannot sit back and not challenge him.

Mr. President, I know schoolteachers right now who are looking for jobs. If any member has any vacancies, I will give them a few. There is no scarcity of schoolteachers, and I maintain that by eliminating half of these colleges, and if those students who are enrolled in the other half will pledge that they will follow that profession, you will have a surplus, year in and year out. We have students coming in from adjacent States at our expense. We pay the bill by paying the tax. Once they graduate, where do they go? They go back to Virginia and Ohio, Michigan and elsewhere, and the people of this Commonwealth are paying the bill.

Mr. President, we talk about economy. It is the same old story. It all depends on where you live. There is no economy in this Senate. You have not shown any throughout the entire Session. You have no hope of showing any economy. All you have in mind is tax, tax and tax. You will tax yourselves out of business.

Mr. President, everybody is shedding tears for the schoolteachers. I say again, the number of colleges left under this bill will give us a surplus of all the teachers we need in the Commonwealth of Pennsylvania.

Mr. PECHAN. Mr. President, we all realize that the State Teachers' Colleges are schools mostly for people who cannot afford to go to a private school. It is a school which has the facilities for those people who are in the lower income bracket, let us say. In Pennsylvania, you

can go to Indiana State Teachers' College for $550 a year. None of the other schools can compare or touch that figure. In our bordering State of Maryland, the cost there is $346.

Mr. President, I would like to say to my colleague, Senator Haluska, from Cambria County, that those teachers about whom he talks, who are unemployed, certainly must not be very good teachers or they could get a job. If they are good teachers, tell them to come and see me, and I will see that they are placed.

Mr. HALUSKA. Mr. President, I deeply resent the remark made about those teachers, because they are qualified. They have served for many years and because of consolidation, mergers, back in my county, they are out of a job. I think it is very unfair for anyone to make such a remark unless he has the facts about which he is speaking.

Mr. PECHAN. Tell them to move over to Armstrong County, and we will take care of them.

Mr. HALUSKA. Mr. President, I may do that later on.

Mr. LANE. Mr. President, I dislike taking issue all day long here with our leadership, but I say to you, and I want to inform the Senate, that I was accused of something not long ago in Caucus. They wanted to know whether I had the deed to the California State Teachers' College. Gentlemen, I do not have it, but I want to keep it there.

Mr. President, I am going to vote against this bill, I would like to see the vote go 47-0, but I do not think it will. Senator Haluska is going to vote for the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—4

Haluska,	Holland,	McMenamin,	Yosko,

NAYS—41

Bane,	Harney,	McCusker,	Taylor,
Barr,	Kessler,	McGinnis,	Toole,
Berger,	Kopriver, Jr.	Miller,	Wade,
Blass,	Lane,	Pechan,	Wagner,
Camiel,	Leader,	Peelor,	Walker,
Chapman,	Letzler,	Propert,	Watkins,
Diehm,	Madigan,	Ruth,	Watson,
DiSilvestro,	Mahany,	Silvert,	Weiner,
Fleming,	Mallery,	Stevenson,	Wolfe,
Freed,	McCreesh,	Stiefel,	Wood,
Hare,			

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 379, entitled:

An Act to further amend the act approved the fifty day of December one thousand nine hundred thirty-six (1937 P. L. 2879) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by prescribing the method of payments from the Special Administration Fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I would like someone to explain to me just what this bill does. We have debated it in Caucus, and I would like to know the purpose of the amendment on page 4, the strike out there, on line 11. Perhaps the Majority Leader can explain the bill.

Mr. MAHANY. Mr. President, as I understand this bill, it is in connection with the Unemployment Compensation Fund. When the Secretary of Labor and Industry, acting on behalf of the Commonwealth of Pennsylvania, collects fines and penalties under the Unemployment Compensation Law, those fines and penalties do not go into the General Fund of the State of Pennsylvania, and are not budgeted out as other funds are budgeted. Under the law, relative to this particular matter, they are kept in a separate fund which does not go through the Budget Office.

This fund, of course, Mr. President, is within the State Treasurer's Department, and the Secretary of Labor and Industry uses that fund to make various surveys. He just does not willy-nilly draw a check on the fund, but, first, he writes to Washington to find out there whether or not the matter that he has in mind—that is, the investigation he has in mind—is a proper expenditure. The department in Washington then writes back to him, and advises him whether or not this is so. If they say it is a proper expenditure, then he refers the matter to the Attorney General of the Commonwealth, and if the Attorney General says it is a proper expenditure, then he draws a check on the fund for that particular item.

For instance, Mr. President, they recently made a very fine moving picture on the benefits of hiring crippled people. I do not know whether any of you have seen that picture, but it is a very good one, and I understand that the picture has been instrumental in having a hundred or more employers write to the department for further information, in an attempt to find out how they might put crippled people to work in their industries.

There was another survey made, Mr. President, on the effects, for instance, of a depression, which might happen, on the hiring of persons over forty-five years of age. They found that if we go into a recession or depression, employees over forty-five years of age are the first to be laid off.

Mr. President, it gives them a lot of information and we feel that the fund should be left where it is, under the supervision it now has, and should not be placed in the State Treasury and commingled with the other moneys of the Commonwealth. Therefore, under the present law, which forbids it, you would certainly have to change that before you could make this piece of legislation into law if you so desired.

Mr. President, I do not feel that this bill is good legislation, and I ask my colleagues to vote "no." It will not

effect any economies, and the present setup is a good one.

Mr. LANE. Thank you, Senator.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—5

Holland,	McMenamin,	Silvert,	Weiner,
Yosko,			

NAYS—39

Bane,	Freed,	Mahany,	Stiefel,
Barr,	Haluska,	Mallery,	Taylor,
Berger,	Hare,	McCreesh,	Toole,
Blass,	Harney,	McCusker,	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
Diehm,	Leader,	Propert,	Wolfe,
DiSilvestro,	Letzler,	Ruth,	Wood,
Fleming,	Madigan,	Stevenson,	

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 380, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by requiring the Unemployment Compensation Board of Review to coordinate work of referees and prohibiting hearings de novo on further appeals

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, this is another bill following a recommendation of the Chesterman Committee, and I am not going to vote for this bill no matter how hard my distinguished colleague on the other side might try to convince me, as I did on one of these previous bills.

I want to say this about the bill, Mr. President. This bill provides that you cannot take any further testimony after you have a hearing, after you have appealed from an unemployment compensation award. The way this procedure works, if a man is unemployed and he feels that he should have unemployed compensation, he files a claim. If it is turned down, he takes an appeal to the Unemployment Compensation Referee. If he is not satisfied with the decision of that referee, he takes an appeal to the board, and then if the board refers it back, this poor fellow, if he has not produced enough evidence or testimony the first time that he had been before the referee, he would be denied presenting any further testimony or evidence.

So, Mr. President, you get a poor fellow who might have gone to the first hearing before the referee without an attorney to properly present his case, and then the board turns it back after he has lost in his appeal to the board, and then his attorney, in the second time around, would be unable to produce any testimony or evidence to help the man substantiate his claim for unemployment compensation.

Mr. President, I think everybody is entitled to present as much evidence and testimony as they want to, or as much as is legally possible, either in the first hearing, or the second hearing or any subsequent hearing. There is no evidence on the part of anybody that there is any great collection of cases remaining to be heard, or that these referees have too much work to do or are not able to keep up with their list of cases.

Therefore, Mr. President, under those circumstances, I feel that this is not good legislation and I expect to vote against it.

Mr. DENT. Mr. President, I want to say to the gentleman, the Majority Floor Leader, that the brilliant discussion which he just gave on the bill convinced me. I am going to vote right with him.

I might add, Mr. President, that the representatives of all branches of labor have requested that we vote "no" on this bill and the next bill, Senate Bill No. 381, which is another bill affecting labor, because it does materially damage the case of an unemployed person and may, in many instances, work a hardship against the laboring people of Pennsylvania.

Mr. YOSKO. Mr. President, I understand these two bills, Senate Bill No. 380 and Senate Bill No. 381, could be termed so-called sneak bills into the Chesterman Committee Report by antilabor people. For that reason, I, too, will vote against the bills.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

Less than a Constitutional majority of all the Senators having voted "aye", the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 381, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorgan-

izing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive administrative officers providing for the apointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for the establishment in the Department of Labor and Industry of the Industrial Board as a departmental advisory board and abolishing the Industrial Board as a departmental administrative board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

NAYS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILL DROPPED FROM CALENDAR

Mr. DENT. Mr. President, this bill covers the same subject as the bill which was defeated earlier today.

Therefore, Mr. President, I move that Senate Bill No. 386, on third reading, entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred twenty-three (P. L. 681) entitled "An act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof" by requiring the trustees of State medical and surgical hospitals to transfer their facilities to local incorporated hospital associations within a specified time discontinuing operation and maintenance by the Commonwealth thereafter and providing for the use of the properties for other State purposes or for the sale thereof

be dropped from the Calendar.

Mr. McMENAMIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 387, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing of reclassification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by continuing the civil service status of employes administering the Public Assistance Law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred.)

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland will state his point of information.

Mr. DENT. Mr. President, I hate to admit it, but I do not know which bill is before the Senate.

The PRESIDENT. The roll is presently being called on Senate Bill No. 387.

Mr. DENT. Mr. President, I believe that if we voted for the bills consolidating the departments into a single department, this bill then attempts to protect the civil service status of the employees being transferred. Am I right or wrong, Senator Mahany?

Mr. MAHANY. Mr. President, I understand that there is nothing before the Senate now except the roll call. Are we on the roll call, Mr. President?

The PRESIDENT. The Chair rules that we are on the roll call, or somewhere close to it.

Mr. DENT. Mr. President, with the permission of the Senate I would like to interrogate the Majority Leader.

The PRESIDENT. I should not have to tell the Senator that he is strictly out of order.

Mr. DENT. Mr. President, I know it.

Mr. FLEMING. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no,"

The PRESIDENT. The gentleman from Allegheny will be so recorded.

Mr. DENT. Mr. President, before the vote is announced, I just wanted to say to the Senate that this bill is necessary because of the Federal restrictions on the Federal contributions to the Department of Public Assistance. This bill maintains the status quo on the civil service ratings of the individuals being transferred from the Department of Public Assistance to the new department created a minute ago. Now, Mr. President, if this bill prevails, then the State's share of the contribution com-

ing from the Federal Government will be denied under Federal statute.

Mr. President, I, personally, do not particularly care for civil service and would vote tomorrow to abolish all of it, but I still have to be hardheaded and use common sense when it come to the welfare of Pennsylvania. I belive that you are making a mistake by voting "no" on this piece of legislation.

The PRESIDENT. Will the Senator yield? Now, the Chair wishes to be indulgent, but we just cannot flagrantly violate the rules. There is nothing in order here but the roll call. I am compelled, under the Rules of the Senate, to announce the vote. If you wish to recant or do something else, that is another matter. We cannot put a sheepskin on a goat unless we have the wherewithal.

Mr. FLEMING. Mr. President.

The PRESIDENT. For what purpose does the gentleman rise?

Mr. FLEMING. Mr. President, if I am within the Rules of the Senate, would like to now again change my vote, because I believe I was doubly under a misapprehension.

The PRESIDENT. The gentleman has the privilege under the rules to change his vote. Does he wish now to change his vote from "no" to "aye"?

Mr. FLEMING. Mr. President, I thought, as the Minority Floor Leader thought, that this was a companion bill. Some of my advisers informed me that it was not, and now I am conviced that the Minority Floor Leader is right and, therefore, I wish to vote "aye."

The PRESIDENT. Now the Senator is very artful. He is going to make a speech. How does the gentleman wish to be recorded?

Mr. FLEMING. Mr. President, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

Mr. BARR. Mr. PRESIDENT, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Bane,	Fleming,	McCreesh.	Taylor,
Barr,	Holland,	McMenamin,	Toole,
Blass,	Lane,	Miller,	Wade,
Camiel,	Leader,	Ruth,	Weiner,
Dent,	Mallery,	Silvert,	Yosko,
DiSilvestro,			

NAYS—23

Berger,	Harney,	McCusker,	Wagner,
Chapman,	Kessler,	McGinnis,	Walker,
Diehm,	Kopriver, Jr.	Peelor,	Watkins,
Freed,	Letzler,	Propert,	Wolfe,
Haluska,	Madigan,	Stevenson,	Wood,
Hare,	Mahany,	Stiefel,	

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 388, entitled:

An Act creating a commission to study grants made to State-aided medical and surgical hospitals for determining the most equitable methods of calculating such grants prescribing its powers and duties and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I just want to make a short statement on why I am going to vote "no" on this bill.

Mr. President, I feel that we have the Joint State Government Commission, which is made up of Members of the House and Senate, and I think that this kind of work is properly within their scope. I feel that if any such study should be made, that this group, or the Appropriations Committee, could make such a study. Therefore, I feel that this is not economy. It is just spending more of the taxpayers' money.

Mr. HALUSKA. Mr. President, I was going to vote "aye" for this bill, because there is a crying need for an investigation of this type. However, it has been pointed out by the Republican Floor Leader that this matter can be taken care of by a subcommittee of the Joint State Government Commission, and if that is true, then I agree with him that we should save this money and I shall vote "no."

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred).

Mr. WAGNER. Mr. President, I do not recall hearing my name called, but I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Schuylkill will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—7

Camiel,	Kessler,	McMenamin,	Yosko,
Holland,	Leader,	Weiner,	

NAYS—38

Bane,	Haluska,	McCusker,	Stiefel,
Barr,	Hare,	McGinnis,	Taylor,
Berger,	Harney,	Miller,	Toole,
Blass,	Kopriver, Jr.	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Dent,	Letzler,	Propert,	Walker,
Diehm,	Madigan,	Ruth,	Watkins,
DiSilvestro,	Mahany,	Silvert,	Wolfe,
Fleming,	Mallery,	Stevenson,	Wood,
Freed,	McCreesh,		

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 389, on third reading, entitled:

An Act to reenact and further amend portions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for

the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the boards of trustees of State institutions in the Department of Welfare creating an advisory board for each such institution defining their powers and the powers and duties of the Department of Health and Welfare with respect thereto and renaming the departmental administrative agencies in the Department of Health and Welfare and the State advisory boards and commissions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 399, as follows:

An Act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The County Code" The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-four

Section 102 Applicability (a) Except incidentally as in sections one hundred eight two hundred one two hundred ten and two hundred eleven this act does not apply to counties of the first or second classes

(b) Except where otherwise specifically limited this act applies to all counties of the third fourth fifth sixth seventh and eighth classes

Section 103 Excluded Provisions This act does not include any provisions of and shall not be construed to repeal

(1) The Municipal Borrowing Law approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159)

(2) The Pennsylvania Election Code approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333)

(3) The County Institution District Law approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017)

(4) The Local Health Administration Law approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1304)

(5) The Municipal Unclaimed Monies Act approved the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1403)

(6) Any law relating to the collection of municipal and tax claims

(7) Any law relating to the assessment and valuation of property and persons for taxation

(8) Any law relating to the giving of county consent to public utility corporations

(9) Any law relating to State highways

(10) Any law relating to the validation of elections bonds resolutions and accounts of corporate officers

(11) Any law relating to collections by county officers of monies for the Commonwealth and the issuance of State licenses

(12) Any law relating to the government and regulation of jails prisons and other correctional institutions and the commitment thereto and maintenance and care of prisoners or inmates therein

(13) Any law relating to civil and criminal procedure except special provisions concerning actions by or against counties or county officers

(14) Any law relating to joint county and municipal buildings and works

(15) Any law relating to county libraries except law libraries

(16) Any law relating to the recording of deeds mortgages or other instruments in writing

(17) Any law relating to the re-binding re-indexing and transcribing of records in county offices

(18) Any law relating to the fees of county officers except as any such acts are repealed by section 3101 of this act.

(19) Any temporary law

(20) Any amendment or supplement of any of the laws referred to in this action

Section 104 Saving Clause (a) The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor affect the existence or class of any county heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

(b) All resolutions regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed All local acts of Assembly applying to particular counties not specifically repealed shall continue in force and any provisions of this act inconsistent therewith shall not apply to the counties affected by such local laws unless such application is clearly indicated

(c) All acts and parts of acts of Assembly relating to counties or to particular classes of counties in force at the time of the adoption of this act and not repealed hereby shall remain in force in the same maner and with the same effect as prior to the adoption of this act

Section 105 Holding of Office Any person holding elective office under any act of Assemly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions and salary attached to such office prior to the passage of this act

Section 106 Construction of References Whenever in this act reference is made to any act by title or name such reference shall also apply to and include any codifications wherein the provisions of the act referred to are substantially reenacted or to reenactments revisions or amendments of the act

Section 107 Constitutional Construction The provisions of this act shall be severable and if any of its provisions are held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section 108 Legislation According to Class The affairs of counties are herein and shall hereafter be legislated for and regulated by general laws applicable to all counties or to particular classes as herein fixed and appointed All laws adopted by the General Assembly for one or more of the classes herein fixed and appointed shall be deemed to be general laws

Section 109 Procedings for Recovery of Penalties Unless herein otherwise specifically provided in every case in which any pecuniary penalty or forfeiture is imposed by this act the proceeding for the recovery of the same be by indictment in the court of quarter sessions or by civil action as debts of equivalent amount are by law recoverable Aldermen or justices of the peace shall not have jurisdiction of any suit or action for the recovery of any penalty imposed by this act for official misconduct Such suit or action when brought in the court of common pleas shall have preference for trial over all other actions

Section 110 Publication of Legal Notices Whenever under the provisions of this act advertisement notice or publication is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) known as the Newspaper Advertising Act printed in the county unless the matter in connection with the advertising is being done affects only a political subdivision in which case such advertisement shall be published in a newspaper printed in such political subdivision if there is such a newspaper and if not then in a newspaper circulating generally in such political subdivision If such notice is required to be published in more than one newspaper it shall be published in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or cir-

culating generally as above provided in the county When such notice relates to any proceedings or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisement unless such publication be dispensed with by special order of court All ordinances auditors' reports controllers' reports or advertisements inviting proposals for public contracts and for bids for materials and supplies shall be published only in newspapers of general circulation as hereinbefore defined

Article II

Names and Corporate Powers
Classification of Counties

(a) Division of the State into Counties Corporate Powers

Section 201 Enumeration of Counties The State shall be divided into the following sixty-seven named counties as now established by law Philadelphia Bucks Chester Lancaster York Cumberland Berks Northampton Bedford Northumberland Westmoreland Washington Fayette Franklin Montgomery Dauphin Luzerne Huntingdon Allegheny Mifflin Delaware Lycoming Somerset Greene Wayne Adams Centre Beaver Butler Mercer Crawford Erie Warren Venango Armstrong Indiana Jefferson McKean Clearfield Potter Tioga Cambria Bradford Susquehanna Schuylkill Lehigh Lebanon Columbia Union Pike Perry Juniata Monroe Clarion Clinton Wyoming Carbon Elk Blair Sullivan Forest Lawrence Fulton Montour Snyder Cameron and Lackawanna

Section 202 General Powers Each county shall have capacity as a body corporate to

(1) Have succession perpetually by its corporate name

(2) Sue and be sued and complain and defend in all proper courts by the name of the county of .....

(3) Purchase acquire by gift or otherwise hold lease let and convey such real and personal property as shall be deemed to be for the best interests of the county

(4) Make contracts for carrying into execution the laws relating to counties and for all lawful purposes

(5) Have and use a seal which shall be in the custody of the commissioners thereof The official acts of the commissioners shall be authenticated therewith There shall be engraved upon such seal the same device as is engraved upon the great seal of the State together with the name of the county

(6) To make appropriations for any purpose authorized by this or any other act of the General Assembly

Section 203 Vesting of Corporate Power The corporate power of each county shall be vested in a board of county commissioners

(b) Classification

Section 210 Counties Divided Into Eight Classes For the purposes of legislation and the regulation of their affairs counties of this Commonwealth now in existence and those hereafter created shall be divided into eight classes as follows

(1) First Class Counties those having a population of 1,800,000 inhabitants and over

(2) Second Class Counties those having a population of 800,000 and more but less than 1,800,000 inhabitants

(3) Third Class Counties those having a population of 250,000 and more but less than 800,000 inhabitants

(4) Fourth Class Counties those having a population of 150,000 and more but less than 250,000 inhabitants

(5) Fifth Class Counties those having a population of 95,000 and more but less than 150,000 inhabitants

(6) Sixth Class Counties those having a population of 45,000 and more but less than 95,000 inhabitants

(7) Seventh Class Counties those having a population of 20,000 or more but less than 45,000 inhabitants

(8) Eighth Class Counties those having a population of less than 20,000 inhabitants

Section 211 Ascertainment Certification and Effect of Change of Class (a) The classification of counties shall be ascertained and fixed according to their population by reference from time to time to the last preceding decennial United States cenus deducting therefrom the number of persons residing on any lands that have been ceded to the United States

(b) Whenever it shall appear by any such cenus that any county has attained a population entitling it to an advance in classification or that a county has heretfore or hereafter decreased in population so as to recede in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify that fact accordingly to the board of county commissioners on or before the first day of October of the year succeeding that in which the census was taken or as soon thereafter as may be which certificate shall be forwarded by the commissioners to the recorder of deeds and be recorded in his office

(c) Changes of class ascertained and certified as aforesaid shall become effective on the first day of January next following the year in which the change was so certified by the Governor to the county commissioners but the salaries of county officers shall not thereby be increased or decreased during the term for which they shall have been elected In the municipal election following such certification of change of class and preceding the effective date of such change the proper number of persons shall be elected to fill any elective office which will exist in the county by the change of classification certified No election shall be held for any office which will be abolished as a result of such change of classification

Article III

Fixing and Relocating Lines and Boundaries

Section 301 Petition to Superior Court (a) The boundary line between any two or more adjoining counties may be determined surveyed relocated or marked in the manner provided by this article upon petition to the Superior Court

(b) Such a proceeding shall be instituted on petition of any taxpayer the county commissioners or the corporate authorities of any political subdivision of any of the counties involved

Section 302 Superior Court to Designate Neutral Court Appointment of Commission (a) The Superior Court upon the filing of such petition shall designate a court of quarter sessions of a county not affected by the question and not adjoining any of the counties involved to act in the proceeding The court so designated shall sit in its home county

(b) If it appears to the court so designated that the county line or any part thereof shall be surveyed or marked it shall appoint a commission composed of three surveyors or professiona engineers in civil engineering to act for the court as hereinafter provided

Section 303 Compensation Assistants and Expenses (a) The surveyors or professional engineers in civil engineering composing such commission shall each receive such compensation as the court shall fix for the time necessarily spent in the discharge of their duties and in addition thereto shall be reimbursed the necessary expenses incurred by them respectively while engaged upon the work of such commission

(b) The commission may employ such assistants as the court shall allow at a compensation to be fixed by the court and such assistants shall be reimbursed the actual necessary expenses incurred by them respectively while employed by such commission

(c) The necessary expenses of advertising the meeting of the commissioners as hereinafter provided and in procuring and setting the monuments needful to mark in a permanent manner such county line the expenses of the commission and its assistants and all other expenses necessarily incurred shall be paid by the interested counties jointly in equal parts upon presentation of properly item-

ized bills duly verified by affidavit of the person claiming payment or some one on his behalf

Section 304 Oath Organization and Duties (a) The members of the commission shall take and subscribe an oath to perform their duties impartially and with fidelity

(b) The commission shall meet and organize within two weeks of its appointment It shall select from its membership a chairman and also a secretary who shall keep a full record of the proceedings and work of the commission Before entering upon its duties it shall designate by advertisement in not more than two newspapers published in each of the counties concerned a time and place of meeting when and where parties interested shall be heard After such hearing it shall without unreasonable delay ascertain the location and survey and mark with suitable monuments of a permanent character the existing county line between such counties if it shall consider such old county line a proper one

Section 305 Authority to Fix New County Line (a) When the commission has ascertained located and determined said line if it appears to it that the existing county line from any cause whatever has become inconvenient for any purpose or improper difficult to ascertain or not related to the natural or other land marks the commission shall report these facts or any of them to the court of quarter sessions having appointed the commission with a recommendation that a new county line be established in whole or in part

(b) Thereupon if said court shall be of opinion that it is to the interest and advantage of the respective counties that a new county line be established they may direct said commission to fix and determine a new county line and to mark the same with suitable monuments of a permanent character

(c) Notice shall be given to the counties interested and to the owners of all lands which will be affected by the proposed change of the time when the recommendation of the commission for a new county line will be considered by the court

Section 306 Report of Commission Approval by Court Certification of Line (a) The commission or a majority thereof shall make a report in writing and attach thereto a map or draft showing the courses and distances of the line ascertained and designated by them as the existing county line or where they may have been directed to fix and determine a new county line such map or draft in lieu thereof shall show the courses and distances of such new county line In either case the map or draft shall also show the lands through which said line passes and the buildings in close proximity thereto together with the roads and streams crossed by or near to such line

(b) The report and map signed by the members of the commission or a majority of them shall be filed in the court of quarter sessions having been given jurisdiction and if approved by such court shall be ordered recorded in the records thereof A copy of the report and approval shall be certified by the clerk of the court to the clerk of the court of quarter sessions of each county affected where it shall be recorded in the records The line so ascertained surveyed and fixed and so marked shall thenceforth be the boundary line between the counties

(c) The clerk of the court of quarter sessions having determined the matter shall certify the approval of the court on two copies of the report and map filed in his office and within thirty days transmit a copy by mail to the Secretary of Internal Affairs to be by him deposited in his department and another to the Department of Highways

Article IV

County Officers

(a) General Provisions

Section 401 Enumeration of Elected Officers (a) In each county there shall be the following officers elected by the qualified electors of the county

(1) three county commissioners

(2) three auditors or in all counties where the office of auditor has heretofore been or shall hereafter be abolished one controller

(3) one treasurer

(4) one county surveyor

(5) one coroner

(6) one recorder of deeds

(7) one prothonotary

(8) one clerk of the court of quarter sessions and of the court of oyer and terminer

(9) one clerk of the orphans' court

(10) one register of wills

(11) one sheriff

(12) one district attorney

(13) two jury commissioners

(b) All such officers shall be elected at the municipal election next preceding the expiration of the terms of the officers now in office and quadrennially thereafter and shall hold their offices for a term of four years from the first Monday of January next after their election and until their successors shall be duly qualified but in the event that any such officer so elected excepting a county commissioner or auditor shall fail to qualify or if no successor shall be elected then the officer then in office shall continue in office only until the first Monday of January following the next municipal election at which time his successor shall be elected for a term of four years In the case of a county commissioner or auditor there shall be a vacancy which shall be filled as provided in this act

(c) All the county officers enumerated in this section shall remain as now constituted This section does not create any office in any county where such office does not now exist

Section 402 Incompatible Offices (a) No elected county officer or county solicitor shall at the same time serve as a member of the legislative body of any city borough town or township of any class nor as school director of any school district nor as a member of any board of health

(b) No member of Congress from this State nor any person holding or exercising any office or appointment of trust or profit under the United States shall at the same time hold or exercise any county office in this State to which a salary fee or perquisites are attached This section shall not apply to United States Reserve Officers or enlisted men not called into active duty

Section 403 Oath of Office (a) In addition to any oath or affirmation required by any other act of Assembly all county officers their deputies assistants and clerks shall before entering on the duties of their respective offices or employments take and subscribe the following oath or affirmation "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office (or employment) with fidelity that I have not paid or contributed or promised to pay or contribute either directly or indirectly any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law that I have not knowingly violated any election law of this Commonwealth or procured it to be done by others in my behalf that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office (or employment) other than the compensation allowed by law"

(b) The foregoing oath shall be administered by some person authorized to administer oaths and shall be filed in the office of the prothonotary of the county in which the same is taken Any person refusing to take said oath or affirmation shall forfeit his office Any person who shall be convicted of having sworn or affirmed falsely or of having violated said oath or affirmation shall be guilty of perjury and shall be subject to such penalties as are provided therefor in the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) known as The Penal Code and be forever disqualified from holding any office of trust or profit within this Commonwealth

Section 404 Officers to Have Commissions Recorded Every county officer receiving a commission from the Governor shall immediately deliver the same to the recorder of deeds for recordation at the expense of such officer No such officer shall execute any of the duties of his office until he has so delivered the said commission

Section 405 Offices Records and Papers to be Kept at County Seat (a) The commissioners auditors controller treasurer sheriff recorder of deeds prothonotary clerk of courts of quarter sessions and oyer and terminer clerk of the ophans' court register of wills recorder of deeds and district attorney shall keep their respective offices and all public records and papers belonging thereto at the county seat and in such buildings as may be erected or appropriated for such purpose

(b) The county commissioners shall furnish each of such officers with an office in the county building court house or other building at the county seat

(c) Any person failing or refusing to maintain his office and to keep all public records and papers belonging thereto in the buildings appropriated for such purpose in accordance with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment until he complies with the provisions of this section or until sooner discharged by order of the court and to pay a fine not exceeding five hundred dollars to be paid to the use of the county

Section 406 Records Open to Inspection (a) The minute book and other fiscal records and documents of every county may be open to the inspection of any taxpayer thereof but the property officers may make reasonable rules and regulations respecting the time of such inspection

(b) In case any officer shall refuse to permit the inspection of any fiscal record or document the taxpayer may by petition to the court of common pleas of the county set forth his reasons for desiring to make such inspection and if the court deems such reasons proper it shall order the officer to permit the inspection to be made

Section 407 Officers to Secure Funds Records Books Et Cetera from Predecessors (a) Any person elected or appointed and duly commissioned to any county office shall demand and receive all records books drafts plans papers seals or other official things including all public funds held in such office and not otherwise provided for by the act approved the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1403) known as the Municipal Unclaimed Moneys Act belonging to such office from the person or persons who held the office immediately before his election or appointment or from any other person or persons holdings or possessing them

(b) Any person detaining from such a county office any records books drafts plans papers seals or other official things including public funds as herein provided belonging to such office after reasonable demand therefor shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment until the delivery of any such official things found to be in his possession or control to the proper officer or until sooner discharged by order of the court and to pay a fine not exceeding five hundred dollars to be paid to the use of the county

Section 408 Deputies to Act in Certain Cases (a) Whenever any county officer is authorized or required to appoint a deputy or deputies such deputy or principal deputy where there are more than one shall during the necessary or temporary absence of his principal perform all the duties of such principal and also in case of a vacancy until a successor is qualified except in the case of a vacancy in the office of sheriff where the coroner shall act as hereinafter provided and except also in the case of a vacancy in the office of coroner where the sheriff shall act as hereinafter provided

(b) No person temporarily succeeding to any county office by reason of the death or removal of the duly elected or appointed officer shall execute any of the duties of such office until he has first taken oath and filed the bond required of the principal officer

Section 409 Vacancies Not Otherwise Provided For In case of a vacancy happening by death resignation or otherwise in any county office created by the Constitution or laws of this Commonwealth and where no other provision is made by the Constitution or by the provisions of this act to fill the vacancy it shall be the duty of the Governor to appoint a suitable person to fill such office who shall continue therein and discharge the duties thereof for the balance of the unexpired term Such appointee shall be confirmed by the Senate if in session

Section 410 County Officials to Furnish Information to Heads of the Governmental Departments (a) It shall be the duty of all county officers to furnish on application thereof to the head of any department of the State government such information and copies of such records or documents contained in their respective offices as in the opinion of such head of department may be necessary or pertinent to the work of his respective department The county so furnishing information shall receive for copying and forwarding the same such reasonable compensation as the Auditor General may determine Such compensation shall be paid to the county by the State Treasurer out of moneys not otherwise appropriated upon warrant from the Auditor General

(b) All county officers shall also furnish to the Department of Internal Affairs such information as may be requested by it

Section 411 Penalty for Neglect or Refusal to Perform Duties If any county officer neglects or refuses to perform any duty imposed on him by the provisions of this act or by the provisions of any other act of Assembly or by any rule of court or other provision of law he shall for each such neglect or refusal be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 412 Absconding Officers The office of any county officer absconding from the county shall be vacant to all intents and purposes

(b) Official Bonds

Section 420 Official Bonds Requirements Each of the following officers before entering upon his official duties whether he is elected appointed or appointed to fill a vacancy shall give and acknowledge a bond to the county

(1) Each county commissioner
(2) The chief clerk of the county commissioners
(3) The controller
(4) The county treasurer
(5) The prothonotary
(6) The sheriff
(7) The coroner
(8) The clerk of the court of quarter sessions and oyer and terminer
(9) The clerk of the orphans' court and
(10) The recorder of deeds

Every such official bond shall be joint and several with one or more corporate sureties which shall be surety companies authorized to do business in this Commonwealth and duly licensed by the Insurance Comissioner of the Commonwealth

Section 421 General Conditions Commissioners Treasurers (a) Each official bond shall be conditioned upon the faithful discharge by the county officer his deputies clerks assistants and appointees of all trusts confined in him by virtue of his office upon the faithful execution of all duties required of him by virtue of his office upon the just and faithful accounting or payment over according to law of all moneys and all balances thereof paid to received or held by him by virtue of his office and upon the delivery to his successor or successors in office of all books papers documents or other official things held in right of his office

(b) The bonds of the county commissioners shall be further conditioned upon the faithful and legal appropriation of county and other monies in the county treasury upon checks and orders given by them or subject to their control

(c) The bond of the county treasurer shall be further conditioned upon a just account of all moneys that may come into his hands on behalf of any political subdivision within the county or on behalf of any person and for the payment to his successor of any balances of such moneys remaining in his hands

Section 422 Obligees Suits on Bonds (a) Each official bond shall be taken in the name of the county and shall be for the use of the county and the Commonwealth and for the use of such other person or persons for whom money shall be collected or received or as his or her interest shall otherwise appear in case of a breach of any of the conditions thereof by the acts or neglect of the principal on the bond

(b) The county the Commonwealth or any other person may sue upon the said bond in its or his own name for its or his own use Acts of Assembly pertaining to actions and limitations of actions upon official bonds given to the Commonwealth shall apply to the bonds provided for in this subdivision just as if they were given to the Commonwealth except as otherwise specifically provided herein

Section 423 Approval Substitution or Addition of Surety (a) Each official bond shall contain the name or names of the surety company or companies bound thereon and shall be subject to the approval of the court of common pleas which court may require such proofs as to it appear necessary or proper in connection with such bonds

(b) The court may at any time upon cause shown and due notice to the county officer and his surety or sureties require or allow the substitution or the addition of a surety company acceptable to the court for the purpose of making the bond sufficient in amount as required by law without releasing the surety or sureties first approved from any accrued liability or previous action on such bond

Section 424 Single Bond for Combined Offices In counties wherein any of the aforementioned county offices are combined a single bond covering all such offices shall suffice for the officer thereof if the court of common pleas approves

Section 425 Custodians of Official Bonds The county controller shall be custodian of all official bonds except that of his own office which shall be held by the county commissioners In counties not having a controller the commissioners shall be custodian of all bonds except their own and that of their chief clerk which the prothonotary shall hold

Section 426 Acknowledgement Evidence Official bonds shall be acknowledged before the recorder of deeds except that the latter officer shall acknowledge his bond before the prothonotary A copy of any official bond certified as true and correct by the proper officer custodian thereof shall be competent evidence thereof in any judicial proceeding

Section 427 Amounts of Official Bonds Exclusive Provisions (a) Except as otherwise specifically provided by law the amounts of official bonds shall be determined by the county commissioners

(b) Except as otherwise specifically provided by law this subdivision shall be deemed to contain the exclusive provisions for official bonds of county officers

(c) The provisions of this subdivision shall not apply to bonds required to be given to the Commonwealth by county officers acting as agents of the Commonwealth

Section 428 Premiums of Official Bonds The premiums of all official bonds including the bond of the register of wills shall be paid by the county out of the county treasury

Section 429 Bonds of Deputies and Other Appointees Bonds required to be given by the deputies of county officers shall be paid for by the county and the amounts thereof shall be designated by the salary board No appointee of a county officer shall be required to give bond at his own expense unless in a position where he may be handling money or in a position where in the performance of his duties an act of his may cause loss to the county or to any person The salary board shall determine each position for which the requirement of a bond may be justified as aforesaid and shall designate the amount thereof The salary board shall in each case be constituted the same as if it were fixing the salary of the appointee concerned

Section 430 Bond of Register of Wills (a) The register of wills before entering upon the duties of his office shall with one corporate surety or two individual sureties on a form prepared and supplied by the Secretary of the Commonwealth give a joint and several bond to the Commonwealth of Pennsylvania in the sum set forth for the class of county for which he is an officer as follows

Third class counties	$25,000
Fourth class counties	20,000
Fifth class counties	15,000
Sixth class counties	10,000
Seventh class counties	7,500
Eighth class counties	5,000

(b) The condition of the bond shall be that the register of wills shall faithfully execute the duties of his office and well and truly account for and pay according to law all moneys received by him for the use of the Commonweath or for the use of others by virtue of his office and to deliver up the books seals records writings and other official things belonging to his office whole safe and undefaced to his successor in office

(c) Such bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register

(d) Such bond shall be submitted to the Secretary of the Commonwealth for approval and when he approves the same he shall forward the bond together with the commission of the register to the recorder of deeds of the proper county and so notify the register who shall cause the bond to be recorded in the office of the recorder of deeds after recording the bond the recorder of deeds shall deliver to the register his commission and forward the bond to the Secretary of the Commonwealth for filing

(e) The bond required by this section shall be the official bond of the register of wills in lieu of the official bonds required by this subdivision for other county officers

Section 431 Form of Bond of Sheriff The form of the bond to be given by the sheriff and his sureties shall be as follows to wit "Know all men by these presents that we (A B C D and E F) are held firmly bound unto the County of ..... in the sum of ..... dollars to be paid to the said County or to the Commonwealth for the uses intents and purposes declared and appointed by law to which payment well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals dated ..... day of ..... Anno Domini ..... The conditions of the above obligation are such that if the said (A B) shall and do without delay according to law well and truly serve and execute all writs and process of the Commonwealth of Pennsylvania to him directed and shall and do from time to time upon request to him for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs or process their lawful attorney factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to his hands and shall and do from time to time and at all times during his continuance in the said office well and faithfully execute and perform all and every of the trusts and duties to the said office appertaining then this obligation to be void or else to be and remain in full force and virtue"

Section 432 Amount of Bond of Sheriff and of Coroner (a) The amount of the official bond of the sheriff shall be as follows

Third class counties	$60,000
Fourth class counties	60,000
Fifth class counties	30,000
Sixth class counties	20,000

Seventh class counties 15,000
Eighth class counties 10,000

(b) The amount of the official bond of the coroner in each class of county shall be one-fourth of the amount herein set out for the bond of the sheriff in such class of county

Section 433 Amount of Bond of County Commissioner The amount of the official bond of each county commissioner shall be as follows

Third class counties $7,500
Fourth class counties 5,000
Fifth class counties 4,000
Sixth class counties 2,500
Seventh class counties 2,000
Eighth class counties 2,000

Section 434 Amount of Bond of Recorder of Deeds The amount of the official bond of the recorder of deeds shall be as follows

Third class counties $15,000
Fourth class counties 10,000
Fifth class counties 10,000
Sixth class counties 5,000
Seventh class counties 5,000
Eighth class counties 5,000

Section 435 Amount of Bond of Controller The amount of the official bond of the county controller in all counties shall be twenty thousand dollars ($20,000)

(c) State Associations

Section 440 State Associations Authorized County officers of each county may organize for themselves a State association as follows

(1) The county commissioners together with the county solicitor and the chief clerk to the county commissioners
(2) The county controllers
(3) The sheriffs
(4) The district attorneys
(5) The probation officers
(6) The registers of wills
(7) The prothonotaries and clerks of courts of quarter sessions
(8) The county treasurers
(9) The recorders of deeds
(10) The directors of veterans' affairs

Section 441 Purpose Annual Meetings (a) The purpose of the respective State associations shall be to discuss and resolve the various questions arising in the discharge of the duties and functions of the respective officers and to provide uniform efficient and economical methods of administering the affairs of the counties pertaining to their offices

(b) In order to achieve such purposes by cooperation coordination and full exchange of information each State association is authorized to hold an annual meeting at such time and place within the Commonwealth as it may designate

(c) Both the association of county controllers and the association of county treasurers may meet in joint session with the association of county commissioners solicitors and chief clerks if such association mutually so agree but in any case each association shall have a separate session on at least two days of the annual meeting

Section 442 Deputies or Solicitors May Attend Annual Meetings The deputy controller the solicitor to the controller the deputy sheriff or solicitor to the sheriff the deputy register of wills or solicitors to the register of wills and the deputy treasurer may attend the annual meetings of his respective associations either together with the controller sheriff register or treasurer as the case may be or in his place

Section 443 Expenses of Attending Members to be Paid by County Time Limit on Meetings (a) The actual reasonable expenses of all county officers authorized to attend the annual meetings of their associations including hotel bills shall be paid by the several counties out of general county funds Such expense except in the case of the county commissioners the county solicitor assistant solicitors and their chief clerk shall not exceed fifteen dollars ($15) per day together with eight cents per mile in going to attend and returning from such meeting

(b) The annual meeting of the association of county commissioners county solicitors and chief clerks shall not exceed four days that of the district attorneys shall not exceed two days and those of all other State associations shall not exceed three days in every case exclusive of the time spent in traveling to and from the said meetings

Section 444 Other Meeting Expenses Paid by Counties (a) In addition to the expenses hereinbefore authorized the necessary expenses of the annual meetings of the associations hereinafter named including printing committee expenses and stenographical expenses shall be paid in equal parts by the several counties whose officers are members of the respective associations

(b) In the case of the county controllers the sheriffs and the registers of wills the portion of the annual expenses charged to each county shall not exceed seventy-five dollars ($75) in the case of the county commissioners county solicitor and county clerk the portion of the annual expenses charged to each county shall not exceed sixty-two dollars ($62) and in the case of the prothonotaries and clerks of courts of quarter sessions the county treasurers the recorders of deeds and the directors of veterans' affairs the portion of the annual expenses charged to each county shall not exceed thirty-one dollars ($31) and in the case of the probation officers an annual membership subscription not exceeding six dollars ($6) per member shall be paid by the county and shall be in lieu of the expenses hereinbefore in this section provided for other county officers

Section 445 Annual Assessments for County Commissioners Etc (a) In addition to the expenses hereinbefore authorized the necessary expenses of the association of county commissioners county solicitors and chief clerks shall be apportioned among the counties holding membership in the association in amounts provided for by the rules and regulations of the association but shall not total more than

(1) three hunred dollars ($300) for any county of the third class
(2) two hundred fifty dollars ($250) for any county of the fourth class
(3) two hundred dollars ($200) for any county of the fifth class
(4) one hundred fifty dollars ($150) for any county of the sixth class
(5) one hundred dollars ($100) for any county of the seventh class or
(6) seventy-five dollars ($75) for any county of the eighth class per annum

(b) Such annual apportionments of expenses shall be as approved at each annual convention of the said association by a majority vote of the members present and when so approved shall be paid by the several counties from general county funds

(d) Removal of County Officers

Section 450 Removal of County Officers and Appointees (a) The county commissioners the sheriffs coroners prothonotaries registers of wills recorders of deeds treasurers surveyors auditors or controllers clerks of the courts district attorneys and any other officers of the several counties whether elected or duly appointed to fill a vacancy shall be removable from office only by impeachment or by the Governor for reasonable cause after due notice and full hearing on the advice of two-thirds of the Senate or upon conviction of misbehavior in office or of any infamous crime in accordance with the Constitution of this Commonwealth but their title to office may be tried by proceedings of quo warranto as provided by law

(b) Appointees to county offices or positions other than to elected offices shall be subject to removal at the pleasure of the appointing power except as otherwise expressly provided by law and they shall also be removed on conviction of misbehavior in office or of any infamous crime

(e) Conduct of Official Business

Section 460 Meetings Open to Public (a) All meetings regular and special of the board of county commissioners and of all boards commissions and authorities created by or operating as agencies of a county are hereby declared to be public meetings open to the public at all times

(b) Nothing contained in this section shall prevent the county commissioners or any such board commission or authority from holding executive sessions from which the public is excluded but no final official action shall be taken as to any proposed or existing resolution ordinance rule or regulation or part thereof at such an executive session

Article V

County Commissioners and Chief Clerks

(a) Commissioners

Section 501 Election Vacancies (a) Three county commissioners shall be elected in each county in the year one thousand nine hundred and fifty-five and every fourth year thereafter In the election of commissioners each qualified elector shall vote for no more than two persons The three persons having the highest number of votes shall be elected

(b) Any casual vacancy in the office of county commissioners shall be filled for the balance of the unexpired term by the court of common pleas of the county in which such vacancy shall occur by the appointment of a registered elector of the county who was a member of the same political party as the commissioner whose place is to be filled at the time thc commissioner was elected

Section 502 Organization The county commissioners shall meet on the first Monday of January in the year one thousand nine hundred and fifty-four and on the first Monday of January every fourth year thereafter in the office provided for them at the county seat for the purpose of organization

Section 503 Meetings Regular and Special Conduct of Meetings Notices (a) The county commissioners shall adopt rules for the conduct and order of business establishing also regular times and places of meeting A copy of such rules shall be posted at all times in a conspicuous place in the county court house for the benefit of the public

(b) Each commissioner shall have at least twenty hours notice of any special meeting and of the nature of business to be conducted thereat unless such notice be waived by him in writing or by attendance at such special meeting

Section 504 Quorum Execution of Official Instruments (a) The commissioners shall constitute a board two members of which shall be a quorum for the transaction of business and when convened in pursuance of notice or according to adjournment shall be competent to perform all the duties appertaining to the office of county commissioners

(b) Where any official document instrument or official paper is to be executed by the county commissioners it shall be done by at least two of the commissioners and attested by the chief clerk who shall affix the county seal thereto

Section 505 Certified Copies of Proceedings' to be Evidence Copies of the proceedings of the commissioners and of all records in their possession certified by their chief clerk under the county seal shall be admitted in evidence in any of the courts of this Commonwealth

Section 506 Power to Administer Oaths The commissioners shall respectively have power to administer oaths and affirmations in all cases arising in the performance of the duties of their office

Section 507 Expenses The county commissioners shall be allowed their expenses necessarily incurred and actually paid in the discharge of their official duties or in the performance of any service office or duty imposed upon county commissioners

Section 508 Independent Audits If the county commissioners believe that any county officer or officers are embezzling wasting or mismanaging the public moneys committed to his or their charge they may employ or contract for independent auditors for an audit of the account as involved

Section 509 Office Furniture Stationery Etc (a) The county commissioners at the cost of the county shall purchase and provide the office furniture equipment and supplies blank books blanks dockets books for records stationery postage fuel light and janitor and telephone service required for each of the county officers whose offices are located in the county building or at such other places at the county seat as may be designated by the commissioners and all supplies used by the public in connection with such offices

(b) The county commissioners at the cost of the county shall purchase and provide all of the same items as needed for each of the county officers whose offices are not required by law to be kept and maintained in county buildings or at the county seat

Section 510 Ordinances and Resolutions (a) The board of commissioners may adopt resolutions and ordinances prescribing the manner in which powers of the county shall be carried out and generally regulating the affairs of the county

(b) All such ordinances unless otherwise provided by law shall be published at least once in one newspaper of general circulation in the county Such ordinances shall not become effective until ten days after the publication aforesaid in any case in which maps plans or drawings of any kind are adopted as part of an ordinance the commissioners may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined

(c) The board of county commissioners may also prescribe fines and penalties not exceeding three hundred dollars ($300) in any instance for the violation of county ordinances which fines and penalties may be collected by suit brought in the name of the county in like manner as debts of like amount may be sued for

Section 511 Take Money and Property By Gift etc The county commissioners may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of the county and the care and management investment sale reinvestment and disposal of such trust funds or property shall be vested in the sinking fund commission and shall be governed thereby subject to such direction as the donors of such funds and property may prescribe

(b) Chief Clerk of County Commissioners

Section 520 Chief Clerk The county commissioners shall appoint a chief clerk

Section 521 Duties and Powers of Chief Clerk (a) The chief clerk shall keep the books and accounts of the board of county commissioners record and file their proceedings and papers attest all orders and voucher checks issued by them and perform all other duties pertaining to his office as chief clerk

(b) He shall have general power to administer oaths and affirmations pertaining to the business of the office of the county commissioners

Article VI

Controller

Section 601 Election and Term Seal (a) At the muniipal election immediately preceding the expiration of the term of the controller now in office and quadrennially thereafter the qualified electors of each county of the third fourth and fifth classes and of every other county where the office of controller has been or may hereafter be established including counties in which the office was established by general law or otherwise while such counties were in a higher classification shall elect one citizen of the county who shall serve as controller for the term of four years from the first Monday of January following his election or until his successor shall be qualified if he so long shall behave himself well

(b) Each county controller shall be provided with an official seal of his office by the county commissioners of the county which shall be used for the attestation of all official papers

Section 602 Eligibility (a) No person holding office under the United States shall be eligible to the office of county controller during his continuance in such office nor until one year thereafter

(b) The county commissioners county treasurer prothonotary register of wills clerk of the courts recorder of deeds sheriff and district attorney and their chief clerks or deputies shall be ineligible during their continuance in such office and for two years thereafter to the office of county controller

(c) The controller shall always be eligible to reelection or appointment

Section 603 Deputy Controller and Clerks The controller in counties of the third fourth and fifth classes shall appoint a deputy controller and clerks and in counties of the sixth seventh and eighth classes may appoint a deputy controller and clerks and each controller may authorize one or more of the clerks employed in his office to administer to all persons oaths and affirmations pertaining to the business of the office with the same force and effect as if administered by the controller or deputy controller

Section 604 Solicitor to the Controller The county controller may designate and appoint one person learned in the law to act as his solictor Such solicitor shall advise upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county controller He shall hold office at the pleasure of the controller

Section 605 Establishment of Office of Controller in Counties of the Sixth Seventh and Eight Classes (a) The office of controller may be established in any county of the sixth seventh or eight class by the affirmative vote of a majority of the electors of the county voting on the question submitted as herein provided at any general municipal or primary election

(b) The question shall be submitted to the electors of the county either upon resolution of the county commissioners or upon petition in writing of one hundred qualified electors of the county Such petition shall be filed with the county commissioners at least sixty days before the day of any general municipal or primary election at which the question is to be submitted If the petition is sufficiently signed the county commissioners shall cause the question to be submitted in the manner provided by the Pennsylvania Election Code

(c) If the majority of electors voting on the question shall vote in favor of establishing the office of county controller such office shall thereby be established and at the next municipal election and quadrennially thereafter the electors of the county shall choose a citizen of the county for the office of controller in place of the county auditors

Section 606 Appointment by Governor Duties of Auditors Abolition of Office of Auditor (a) Whenever the office of controller is established in any county under the provisions of section six hundred five of this act or by a change in class of such county not otherwise provided for by law the Governor shall appoint a suitable person to act as controller of said county until his successor in office is duly elected and installed

(b) Upon the appointment of a controller as provided in this section the county auditors then in office shall proceed to audit all accounts as required by law and shall file a report of such audit with the controller so appointed not later than three months after the controller assumes his office whereupon the office of county auditor shall be abolished and cease to exist in said county

Section 607 Expenses The county controller and his deputy clerks and auditors shall be allowed their expenses necessarily incurred and actually paid in the discharge of their official duties or in the performance of any service or duty imposed upon them

Article VII

Auditors

Section 701 Election and Vacancies (a) In each county where the office of controller has not been established three county auditors shall be elected in the year one thousand nine hundred and fifty-five and every fourth year thereafter In the election of auditors each qualified elector shall vote for no more than two persons The three persons having the highest number of votes shall be elected

(b) Any casual vacancy in the office of county auditors shall be filled for the balance of the unexpired term by the court of common pleas of the county by the appointment of an elector who voted for the auditor whose place is to be filled

Section 702 Eligibility (a) No person shall be eligible to the office of county auditor who within two years shall have been treasurer of the county

(b) No person holding the office of county auditor shall at the same time hold or be employed in any office of the county the county institution district any school district any board of health or any municipality authority of which the county is a member

Section 703 Meetings Quorum The auditors shall assemble at the county seat on the first Monday of December in each year and begin their audit of the fiscal affairs of the county for that fiscal year and thereafter at such times as they may find necessary for the completion of their audit before the first day of March of the ensuing year They may upon petition to the court of common pleas have such additional time for the completion of their report as the court shall allow any two auditors when duly convened shall be a quorum for the purpose of transacting any business

Section 704 Counsel The auditors may employ a competent attorney-at-law to act as their counsel and attorney

Article VIII

Treasurer

Section 801 County Treasurer Eligibility No judge clerk or prothonotary of any court register of wills recorder of deeds county commissioner or county controller shall be eligible to serve as county treasurer during their continuance in office and no county commissioner or county auditor shall be eligible until the expiration of one year next after the term for which they shall have been elected No county treasurer shall be eligible for the term next succeeding the one for which he may be elected

Section 802 Bond in Favor of Commonwealth Each county treasurer shall before entering upon the duties of his office give bond with sufficient security to be approved of by at least two of the judges if there is more than one judge of the court of quarter sessions in the county and in such penalty as the said judges shall deem sufficient conditioned for the faithful discharge of all duties enjoined upon him by law in behalf of the Commonwealth and for the payment according to law of all moneys received by him for the use of the Commonwealth which bond shall be taken by and acknowledged before the recorder of deeds of the same county and recorded in his office and the original bond shall be forthwith transmitted to the uditor General The cost of the bond its acknowledgment and recording shall be borne by the Commonwealth

Copies of the record of such bond duly certified by the recorder of deeds for the time beiing shall be good evidence in any action brought against such treasurer or his sureties on such bond according to its form and effect in the same manner as the original would be if produced and offered in evidence

Section 803 Removal from Office for Failure to Transmit Bond to uditor General If any county treasurer shall fail to transmit to the Auditor General within one month after his election or appointment the bond required by the preceding section he shall be deemed to have forfeited his right to the office if he has entered upon the duties thereof he shall be ousted in an action of quo warranto

in the name of the Commonwealth upon the relation of the Attorney General or of the district attorney of the county if the latter is so directed by the county commissioners

Section 804 When Auditor General to Deliver Up Bond of Treasurer The bond and obligation of the county treasurer shall be held by the Auditor General for one year after the settlement of his accounts with the Commonwealth and thereafter if the Auditor General and State Treasurer are fully satisfied that the County treasurer has settled his accounts and paid all sums due the Commonwealth said bond and obligation shall upon request be delivered to any person entitled to the same

Section 805 Misapplication of Funds Collected for Specific Purposes Whenever any moneys are collected by law in any county for any special purpose and paid into the hands of the treasurer of such county it shall be unlawful for such treasurer to apply such moneys or any part thereof to any other purpose than that for which such moneys were collected Every such misapplication shall be a misdemeanor upon conviction thereof such treasurer shall be punished by a fine of not les than the amount so misapplied or by imprisonment for not less than three months nor more than one year or both

Section 806 Deputy Treasurer The county treasurer is hereby authorized to appoint a deputy county treasurer who shall perform such duties as shall be prescribed by the county treasurer

Article IX

County Solicitor

Section 901 Appointment Qualifications The county commissioners shall appoint a county solicitor who shall be attorney-at-law admitted to practice in the courts of this Commonwealth He shall before entering upon the duties of his office file with the county commissioners an agreement to pay all fees attorney's fees and commissions received from every source as county solicitor into the county treasury

Section 902 Duties He shall commence and prosecute all suits brought or to be brought by the county wherein or whereby any rights privileges properties claims or demands of the county are involved as well as defend all actions or suits brought against the county and shall perform all duties now enjoined by law upon county solicitors and shall do all and every professional act and render legal advice incident to the office which may be required of him by the commissioners He shall in addition perform all similar duties for each elected officer who is not authorized to appoint a solicitor or who has not appointed a solicitor although authorized to do so In case of any litigation impending or in progress between the commissioners and any other elected county officer the proper court may authorize such county officer to retain special counsel for the said purpose whose fee shall be fixed by the court and paid from the county treasurer

Section 903 Employes in Third Class Counties In counties of the third class the county solicitor may with the consent of the county commissioners employ a stenographer as an assistant in his office

Section 904 Assistant Solicitors in Third Class Counties In counties of the third class the county commissioners may appoint an assistant county solicitor Each assistant shall perform such duties in connection with the legal affairs of the county as may be assigned to him by the county acommissioners or the county solicitor

Article X

Surveyor and Engineer

Section 1001 County Surveyor Qualifications Duties and Compensation Vacancies The county surveyor to be elected in each county as hereinbefore provided shall be a practical surveyor and shall perform all the duties assigned to him by the county commissioners or by law

Any vacancy occasioned by death resignation removal or otherwise shall be filed by the court of quarter sessions by the appointment of a competent person being a practical surveyor to fill such vacancy during the balance of the unexpired term

Section 1002 County Engineers Appointment Term County Commissioners of any county may appoint a professional engineer in civil engineering who shall be styled the county engineer Such engineer shall serve at the pleasure of the commissioners

Section 1003 Duties The county engineer shall prepare plans specifications and estimates of all engineering work undertaken by the county and whenever required shall furnish the commissioners with reports information or estimates on any such work and in general shall perform all such duties with reference to any county engineering work as the county commissioners may from time to time prescribe

Article XI

Board of Viewers

Section 1101 Number of Members Qualifications There is hereby established in each county a board of viewers The board of viewers shall consist of not less than three nor more than nine members one-third of whom may be learned in the law and members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

Section 1102 Qualifications Each member of the board of viewers must be freeholder and a qualified elector of the county and not engaged in any public employment of profit The office of any member of the board shall be vacant immediately upon his ceasing to be a resident of the county in which he was appointed or upon his ceasing to possess any of the qualifications above required The court of common pleas shall from time to time determine summarily any facts thus bringing about a vacancy in the office

Section 1103 Appointment of Members Vacancies Rules and Regulations The members of the board of viewers shall be appointed by the judges of the court of common pleas All vacancies happening from any cause shall be filled by appointment by the judges of the court of common pleas All vacancies happening from any cause shall be filled by appointment by the judges of the court of common pleas In counties having more than one court of common pleas the judges of all courts of common pleas shall meet as a body and shall make such appointment In judicial districts which comprise more than one county such appointment for each county shall be made by the judge or judges of the judicial district in which said county is situate

The courts of common pleas of the respective counties shall make such rules and regulations for the government of said boards and the proceedings thereof as they respectively shall deem proper wich rules and regulations said courts may from time to time alter amend modify or rescind but no member of the board shall represent a client or testify as an expert witness before the board

Section 1104 Term of Office Removal Each of the members of the board of viewers shall be appointed for a term of three years from the date of his appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies occur All appointments shall be subject to the power of the court of common pleas at its pleasure to remove members of said board before the expiration of their respective term of office and to appoint successors

Section 1105 Power to Administer Any member of any board of viewers shall have general power to administer oaths and affirmations to other viewers of the same county to witness before them and to other persons pertaining to the business and duties of the board of viewers

Section 1106 Clerks and Stenographers The board of viewers may employ such stenographers and clerical assistants as shall be authorized by the salary board

Article XII

Sheriff and Coroner

(a) Sheriff

Section 1201 Unfinished Business of Outgoing Sheriff (a) It shall be the duty of every outgoing sheriff to deliver all unfinished and unexecuted writs and process whatsoever to his successor whose duty it shall be to receive and execute the same as if said writs and process had been originally issued and directed to him and to carry out and complete all other official duties of his predecessor

(b) Whenever any real estate shall be sold under any execution by a sheriff who shall in any lawful manner be succeeded in office before any deed shall be executed and acknowledged by him in due form of law for such real estate his successor in office shall have the same power and be under the same duty to execute and acknowledge a deed for such real estate to the purchaser thereof as the sheriff selling such real estate under execution if he were still in office which deed so executed shall be as effectual in law as if the title had been completed by the former sheriff

(c) No court order shall be necessary in any event to authorize an incoming sheriff to carry out his duties as prescribed by this act

Section 1202 Sheriff May Act by Deputy Whenever the sheriff is or shall be required by law to act in person under or by virtue of any writ or process whatsoever issued by the courts of this Commonwealth he may act either in person or by a regularly appointed deputy sheriff

Section 1203 Chief Deputy Compensation The sheriff of each county shall appoint by commission duly recorded in the office for recording deeds a chief deputy whose appointment shall be revocable by the sheriff at pleasure on recording in said office a signed revocation thereof The chief deputy during his continuance in office shall have full power and authority to perform any duty incumbent upon such sheriff with like effect in law as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office Nothing in this section shall operate to relieve such sheriff or his sureties from liability upon their official bond

Section 1204 Real Estate Deputies of the Third and Fourth Classes In counties of the third and fourth classes the sheriff may have a real estate deputy to take charge of all matters relating to sheriff's sales of real estate and distributions of the proceeds thereof whose appointment shall be made and be revocable as hereinbefore provided for the chief deputy Such deputy shall have full power to perform all duties incumbent upon the sheriff in like manner as his chief deputy with like effect in law as if such official acts had been done by the sheriff in person Such duties shall include the execution and acknowledgment of sheriff's deeds for real estate upon receipt of the purchase price thereof Nothing in this act shall operate to releive the sheriff or his sureties from liability upon their official bonds but such liability shall continue as heretofore

Section 1205 Deputies and Clerks The sheriff of each county may appoint such deputies and clerks as may be necessary to properly transact the business of his office He may revoke the appointment of deputies in the same manner as his chief deputy The number of such deputies and clerks shall be fixed by the salary board

Section 1206 Deputy Sheriffs Qualifications A sheriff shall not appoint any person a chief deputy or any other deputy sheriff unless the sheriff files with the prothonotary prior to the appointment of such person the name and photograph of such person together with an affidavit of such person setting forth the following

(1) His full name age and residence address

(2) That he is a citzen of the United States and twenty-one years of age or over

(3) That he has resided in the county for a period of at least two years immediately preceeding the filing of such affidavit

(4) That he has never been convicted of a crime involving moral turpitude under the laws of this Commonwealth or of any other state or of the United States

(5) That he has not for a period of two years immediately preceding the filing of such affidavit acted either for himself or as the agent or employe of another in any labor dispute or hired himself out or performed any service as a private detective private policeman or private guard in any labor dispute or received any fee or compensation whatsoever for acting as a private detective private policeman or private guard in any labor dispute or conducted the business of a private detective agency or of any agency supplying private detectives private policeman or private guards or advertised or solicited any such business in this Commonwealth in connection with any labor dispute

Section 1207 False Statements in Deputy's Affidavit Any false statement contained in any such affidavit shall constitute perjury and shall be punishable as such

Section 1208 Filed Items Public Records The name photograph and affidavit of any such person so filed with the prothonotary shall constitute a public record

Section 1209 Public List of Applicants for Deputy Sheriff The sheriff shall from time to time prepare a list of the names of all persons who have applied for appointment as deputy sheriff and who meet the qualifications hereinbefore prescribed Such list shall be posted in a public place for a period of not less than ten days and thereafter shall be filed in the office of the prothonotary No deputies shall be appointed by the sheriff whose names do not appear on said list

Section 1210 Private Services Gifts and Payments Contracts Prohibited (a) No sheriff deputy sheriff detective or other county police officer whatsoever shall perform directly or indirectly any official services or official duties for any person association or corporation or receive directly or indirectly any conmpensation gifts or gratuities from any person association or corporation during the period of his official services Nothing herein contained shall prohibit such officers from serving writs and other legal process as authorized by law any compensation payable to any such officer for official duties and services shall be paid only out of the proper county or other public funds to the amount and in the manner prescribed by law Gifts donations and gratuities of any nature whatsoever made by any person association or corporation to the county or to any official or agent thereof shall not constitute public funds within the meaning of this section

(b) No county or any official or agent thereof shall accept as a gratuity gift or donation any arms ammunition military supplies tear gas or equipment or supplies or articles of a similar character from nor shall any such gratuity gift or donation be made by any person association or corporation

(c) Any contract or agreement whatsoever made in violation of the provisions of this section shall be utterly void and of no effect in law or in equity and is hereby declared to be contrary to public policy

Section 1211 Penalties Any sheriff deputy sheriff or any other county police officer whatsoever or any other official of the county or any person association or corporation violating any of the provisions of sections 1206 1209 or 1210 of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or to undergo imprisonment for not less than ninety days nor more than two years or both

Section 1212 Construction Nothing contained in sections 1206 or 1210 of this act shall be construed

(a) To prohibit the payment by any person association or corporation of fees or compensation to any county of the second class for county police officers assigned to exhibitions athletic contests or other recreational activities

(b) To prohibit the appointment employment or compensation by any county in the manner expressly provided

by law of (1) night watchmen (2) railroad police (3) bank police (4) payrool police (5) special policemen to police and protect cemeteries and grounds and buildings open to the public or to enforce laws for the prevention of cruelty to persons or animals (6) fire police whose only duty shall be to direct traffic and maintain order to at or from fires (7) police or guards employed by nonprofit corporations or organizations

Section 1213 Solicitor in Third Fourth and Sixth Class Counties In all counties of the third fourth fifth and sixth classes the sheriff may appoint one person learned in the law as his solicitor Said solicitor shall advise the sheriff upon all legal matters that may be submitted to him and shall conduct any litigation in connection with the sheriff's office when requested so to do by the sheriff

Section 1214 Sheriff to Act as Coroner in Case of a Vacancy If any coroner shall be legally removed from his office or shall die before the expiration of the term for which he was commissioned the sheriff of the county shall execute the office of coroner and perform all things thereunto appertaining until another coroner is commissioned and notice thereof is given to such sheriff

Section 1215 Sheriff to keep Docket Every sheriff and every coroner acting as sheriff shall provide and keep in his office a book or books in which he shall enter all writs that may come to him and the proceedings thereon and at the expiration of his term of office such book or books shall be deposited in the office of the prothonotary for the inspection of all persons interested therein

(b) Coroner

Section 1231 Deputies The coroner may appointment one or more deputies to act in his place and stead as he may deem proper and necessary Such deputy or deputies shall have the same powers as the coroner In counties of the fifth sixth seventh and eighth classes such deputies shall receive the same fees as the coroner

Section 1232 Duties with Respect to County Morgues The coroner of each county in which a county morgue is established shall make general rules and regulations for its government and control and shall appoint suitable persons for each morgue so established to have charge of the same and who shall be removable at the pleasure of the coroner The number of such persons and the salary of each shall be fixed by the salary board

Section 1233 Removal of Bodies to Morgue Whenever the body of any deceased person who is unidentified or which body is unclaimed by proper persons has been found within the county it shall be removed to the county morgue or to a private morgue serving in lieu thereof The coroner shall if he deems necessary cause any such body to be properly embalmed or prepared for preservation for such length of time as he may think proper Any such body shall be examined or inspected only by such persons as the coroner authorizes in writing or who are admitted in his presence No such body shall be removed from any such morgue except upon the certificate of the coroner

Section 1234 Ambulance In each county having a county morgue the county commissioners may furnish and maintain from the general funds of the county an ambulance for the removal of bodies of deceased persons to and from the morgue and for the burial of unclaimed bodies The coroner may provide rules and regulations for the use and maintenance of the ambulance

Section 1235 Unclaimed Property of Deceased Sales (a) The coroner shall safely keep in his charge all personal effects and property which appear to have been on or about the person at the time of his death or being found on any decedent whose body is received at the county morgue or at any other morgue serving in lieu thereof and all such effects and property which are delivered to him according to law The coroner shall hold such property for one year unless sooner claimed by legal representatives of the deceased or otherwise duly and lawfully claimed or disposed of

(b) After one year the coroner shall cause such property remaining unclaimed or so much thereof as remains undisposed of according to law except monies and such properties as securities which may not be subject to such a sale shall be turned over to the commissioners for proper disposition or use to be sold at public sale

(c) Notice of any such public sale shall be published in at least one newspaper of general circulation in the county once a week for three successive weeks The proceeds of all such sales shall be paid immediately into the county treasury and the coroner shall make a written report thereof to the county commissioners under oath at the same time If the body has been buried at the expense of the institution district the county shall pay the proceeds of sale or such property as was not subject to sale as hereinbefore provided less costs over to the institution district The foregoing provisions shall be in lieu of escheat to the Commonwealth

Section 1236 Private Morgue May be Used In any county where a county morgue is not maintained the coroner may cause any body which he is authorized to admit to a county morgue to be removed to a private morgue within the county and for the use thereof the owner shall be paid a sum to be established by the salary board to be paid in the same manner as fees of coroner's jurors are paid

Section 1237 Coroner's Investigations The coroner having a view of the body shall investigate the facts and circumstances concerning deaths which appear to have happened within the county regardless where the cause thereof may have occured for the purpose of determining whether or not an inquest thereof should be had in the following cases (1) Any sudden as hereafter defined violent or suspicious death (2) any death wherein no cause of death is properly certified by a person duly authorized thereof (3) any death resulting from a mine accident as directed by law (4) deaths resulting from drownings cave-ins and subsidences (5) any stillbirth or the death of any baby dying within twenty-four hours after its birth and in addition thereto (6) the death of any prematurely born infant wherein the cause of death is not properly certified by a person duly authorized thereto

The purpose of the investigation shall be to determine whether or not there is any reason sufficient to the coroner to believe that any such death may have resulted from the criminal acts or criminal neglect of persons other than the deceased rather than from natural causes or by suicide

Section 1238 Inquest Autopsy Coroner's Duties Records If upon the investigation by the coroner he shall not be satisfied thereby that the death resulted from natural causes or by suicide he shall proceed to conduct an inquest upon a view of the body as provided by law In the conduct of the inquest the coroner may require such an autopsy as may be necessary in accordance with law At the inquest the coroner's duty shall be to ascertain the cause of death and whether any person other than the deceased was criminally responsible therefor by act or neglect and if so the indentity of the person and any further evidence and witnesses regarding the crime The proceedings at the inquest shall be recorded at the expense of the county in a manner to be provided by the county commissioners and any salary that may be required for this purpose shall be fixed by the salary board

Section 1239 Sudden Deaths Defined The coroner shall regard any death as sudden if it occurs without prior medical attendance by a person who may lawfully execute a certificate of death in this Commonwealth or if within twenty-four hours of death the decedent was discharged from such medical attendance or a change of such medical attendance had occurred or if any such medical attendance began within twenty-four hours of death and the medical attendant refuses or is unable to certify the cause of death Medical attendance includes hospitalization

The provisions of this section shall not be construed to affect the coroner's discretion as to whether or not any death was suspicious nor shall they be construed to authorize a coroner to investigate a sudden death any further than necessary to convince him that the death was from natural causes and not from any criminal act or neglect of another

Section 1240 Bodies not to be Moved In all cases where the coroner has jurisdiction to investigate the facts and

circumstances of death the body and its surroundings shall be left untouched until the coroner has had a view thereof and until he shall otherwise direct or authorize except as may be otherwise provided by law or as circumstances may require Bodies upon a public thoroughfare or in other places may be removed so much as is necessary for precaution against traffic accidents or other serious consequences which might reasonably be anticipated if they were left intact

Section 1241 Release of Coroner's Jurisdiction Whenever the coroner assumes jurisdiction of a body pursuant to the provisions of this subdivisin or of any other law the body shall not be released or removed from his jurisdiction except upon his direction and consent in accordance with law

Section 1242 Cooperation with District Attorney In the exercise of his duties as contained in this subdivision the coroner shall so far as may be practicable consult and advise with the district attorney The district attorney shall act as counsel to the coroner in matters relating to inquests

Section 1243 Justices of the Peace not Affected The provisions of this subdivision shall not be construed to affect any provisions of law requiring or authorizing justices of the peace in certain cases to act in place of the coroner

Section 1244 Certificate of Cause of Death The coroner shall issue a certificate of cause of death in all cases referred to him by the local registrar of vital statistics pursuant to the provisions of the act approved the twenyfirst day of May one thousand nine hundred forty-three (P. L. 414) known as the Uniform Vital Statistics Act and in all other cases of which he has jurisdiction if no person duly authorized by the said act certifies the cause of death

Section 1245 Power of Subpoena and Attachment The coroner shall have power to issue subpoenas to obtain the attendance of any person whom it may be necessary to examine as a witness at any inquest and to compel attendance by attachment in like manner and to the same extent as any court of oyer and terminer and general jail delivery of this Commonwealth may or can do in cases pending before them and also to compel in like manner the production of all papers and other things relative to such inquest Such subpoena and attachment shall be served and executed by the sheriff or by the coroner himself or his deputy as the case may require

Section 1246 Power to Administer Oaths The coroner shall have power to administer oaths and affirmations to all persons brought or appearing before him and any person swearing or affirming falsely on such examination shall be guilty of perjury

Section 1247 Commitment to County Prison If any person appearing before the coroner for examination shall refuse to take oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall be put to him by the coroner touching the matters of the inquest such person so refusing may be committed by the coroner to the county jail by warrent under his hand and seal directed to the sheriff or any constable of the county setting forth particularly the causes of such commitment until he shall submit to be sworn or affirmed or to make answers to such questions or be otherwise legally discharged

Section 1248 Inquests Not Public The coroner may in his discretion admit or exclude members of the public from any inquest or part thereof and admit or exclude any person interested or suspected from such inquest or any part thereof No person excluded may appear by attorney but any person required to attend may have benefit of counsel at such attendance

Section 1249 Coroner to Act as Sheriff in Case of Vacancy If any sheriff shall be legally removed from his office or shall die or resign before expiration of the term for which he was commissioned the coroner of the county shall execute the office of sheriff and perform all things thereunto appertaining until another sheriff is commissioned and notice thereof is given to such coroner

Section 1250 Vacancies No Fees upon Commissions If any person elected to the office of coroner shall neglect or refuse for the space of two months next after such election to assume the duties of said office and to comply with requirements of the acts of Assembly in such cases the office shall be vacant and it shall be the duty of the Governor upon the notification of the recorder of deeds to appoint and commission some suitable person to fill such vacancy during the remainder of the term No fees shall hereafter be charged on commissions issued to the coroner

Section 1251 Official Records of Coroner Every coroner within thirty (30) days after the end of each year shall deposit all of his official records and papers for the preceding year in the office of the prothonotary for the inspection of all persons interested therein

(c) Provisions Relating to Sheriffs and Coroners

Section 1260 Not to Exercise Office Until Commission Granted and Recorded Penalty No person elected or appointed to the office of sheriff or coroner shall execute any of the duties of such office before a commission shall have been duly granted to him by the Governor and left for record under a penalty of imprisonment for a term not exceeding six months at the discretion of the court of quarter sessions Such person shall nevertheless be liable to any person injured by any acts done by him under color of such office

Section 1261 Recognizances of Sheriffs and Coroners (a) Every sheriff whether elected reelected or appointed to fill a vacancy not including any coroner temporarily acting as sheriff and every coroner before he is commissioned or executes any duties of his respective office shall execute and duly acknowledge before the recorder of deeds a proper recognizance without any surety to the Commonwealth of Pennsylvania for the faithful discharge of all of his official duties in like manner as that of his official bond required by law and in a form containing like conditions as such bond The recognizance shall be immediately recorded in said county at the expense of said sheriff or coroner and when so recorded shall be transmitted to the Secretary of the Commonwealth with said recorder's certificate endorsed thereon of its having been duly recorded and with a reference to the place of record thereof

(b) Every such recognizance hereafter executed shall continue to be a lien on the real estate owned by the sheriff or coroner at the date of such acknowledgment for a period of six years from that date Every recognizance heretofore executed by any sheriff or coroner shall continue to be a lien on the real estate owned by the sheriff or coroner at the time the recognizance was dated for a period of six years after that date but in every case where the period of six years has already expired the lien of such recognizance shall continue for a period of two years after the effective date of this amendment or to the end of the lien term fixed by law at the time the recognizance was executed which ever date shall first occur

(c) The Secretary of the Commonwealth shall have and keep the custody of every such recognizance and any copy thereof and of said endorsements certified to by the Secretary of the Commonwealth shall be competent evidence of the execution delivery and recording thereof in any judicial proceedings and may be relied upon by any public officer to the same extent as the original recognizance

(d) The recorder of deeds may also certify copies of such recognizance and the time and place of recorded thereof for like purposes upon receipt of his fees therefor according to existing laws

(e) Such recognizance or any duly certified copy thereof may likewise be recorded and indexed like a judgment in any other county of this Commonwealth by any person or public officer upon payment of the usual fees to the recorder of deeds and prothonotary of such county respectively for the purpose of creating a lien on any real estate of the sheriff or coroner obligated thereby lying in such other county

(f) It shall be the duty of the recorder of deeds of the county for which a sheriff or corner is elected or appointed as soon as said sheriff or coroner is commissioned to certify the date amount and place of record of his recognizance with the name and address of said sheriff or coroner

to the prothonotary of said county who shall enter such information upon his dockets and index the lien of such recognizance like a judgement obtained in the court of common pleas of said county

(g) Every sheriff's or coroner's recognizance hereafter given shall inure to the benefit of any surety on his official bond entitled to subrogation to the rights of any person or corporation including any county intended to be benefitted thereby injured by any official misconduct or neglect of the sheriff or coroner who executed such recognizance to the extent of any payments by such surety for any damages for which such sheriff or coroner may be held to be liable in any suit or proceedings against such sheriff or coroner on his official bond or recognizance A similar right of subrogation may be enforced with respect to any such recognizance heretofore given to the extent permitted by law or equity

Section 1262 Sale of Real Estate Bound by Lien (a) If the sheriff or coroner shall sell any real estate bound by the lien of any recognizance such sheriff or coroner may present a petition to the court of common pleas of the county wherein the land so bound is situate accompained by notice to his sureties on his official bond and to his board of county commissioners setting forth the fact of such sale and praying for a release of the lien of such recognizance upon the real estate described in the petition

(b) The court being satisified of the sufficiency of the sureties upon his official bond and that no action has been commenced by any person or corporation on said recognizance or that all suits thereon have been ended by payment of any judgements obtained therein or otherwise may release the lien upon such land

(c) The court of common pleas of such officer's county may before the release of the lien upon any such real estate approve of additional sureties to be added or substituted upon his official bond as such court shall deem necessary

Section 1263 Limitation of Action Satisfaction of Recognizance No action or scire facias shall be brought upon the recognizance of the sheriff or of the coroner after seven years from the date of such recognizance The court of common pleas may after such time upon application of the sheriff or coroner as the case may be order and direct that the recognizance be marked satisfield on the record and upon the dockets of the prothonotary and the lands involved shall thereupon be discharged from the liens thereof

Article XIII

Prothonotary Clerks of Courts of Orphans' Court

Register of Wills Recorder of Deeds

Section 1301 Election of Prothonotaries Clerks of Court Clerks of Orphans' Court Register of Wills Recorder of Deeds At the municipal election preceding the expiration of the term of office of any prothonotary clerk of the court of quarter sessions clerk of the court of oyer and terminer register of wills clerk of the orphans' court or recorder of deeds of any county and quadrennially thereafter the electors of such county shall elect a person to fill such office from the first Monday of January next succeeding such election for a term of four years and until his successor is elected and qualified Where under the provisions of this act or other law it is provided that two or more of said offices shall be held by the same person only one person shall be elected to hold such office

Section 1302 How Offices to Be Held (a) In counties of the third and fourth classes one person shall hold the office of prothonotary one person the office of clerk of the court of oyer and terminer and quarter sessions one person the offices of register of wills and clerk of the orphans' court and one person the office of recorder of deeds

(b) In counties of the fifth class one person shall hold the offices of prothonotary and clerk of the court of oyer and terminer and quarter sessions one person the offices of register of wills and clerk of the orphans' court and one person the office of recorder of deeds unless local law applying to such counties shall otherwise provide

(c) In counties of the sixth and seventh class one person shall hold the offices of prothonotary and clerk of the court of oyer and tenminer and quarter sessions and one person the offices of register of wills recorder of deeds and clerk of the orphans' court unless local laws applying to such counties shall otherwise provide

(d) In counties of the eighth class one person shall hold the offices of prothonotary clerk of the court of oyer and terminer and general quarter sessions clerk of the orphans' court register of wills and recorder of deeds unless local laws applying to such counties shall otherwise provide

(e) This section does not repeal any of the provisions of section one of the act approved the second day of July one thousand eight hundred and thirty- nine (P. L. 559) entitled "An act to provide for the election of prothonotaries clerks recorders and registers" nor any of the provisions of any other local law

(f) Any county in which the offices provided for herein are not now held as hereinbefore provided and which desires to provide for the holding of two or more of said county offices by the same person may at any time hereafter the provisions of this section in whole or in part and provide for the holding of its county offices or any of them in the manner provided in this section for the class of counties to which it belongs

(g) The proceedings to accept the provisions of this section and to join its offices or any of them as herein provided shall be in all respects as provided in section 1303 of this act for the acceptance of the provisions of that section Upon the expiration of the term of any county officer affected by such proceeding his office shall be joined to the other whose term still continues and no successor shall be elected or if the terms of all officers affected expire at the same time then upon such expiration such offices shall be joined and occupied by one person elected at the preceding municipal election for such purpose

Section 1303 Counties of Forty Thousand Inhabitants Created Seperate Judicial Districts (a) In each county containing forty thousand inhabitants which has been created as a seperate and independent judicial district as provided by the Constitution upon acceptance of the provisions of this section there shall be elected one person to fill the office of prothonotary one person to fill the office of the clerk of the courts of general and quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds at the expiration of the terms of the persons then filling and exercising such offices in such counties

(b) In any such county in which the offices provided for in this section are now held as above provided such offices shall continue to be so held and persons shall continue to be elected to fill the same without any actual acceptance of this section

(c) The acceptance of the provisions of this section shall be exercised by a decree of the court of common pleas of the county accepting the provisions thereof upon petition of the county commissioners of such county The petition and decree shall be recorded in the office of the recorder of deeds of the county and in the office of the Secretary of the Commonwealth

Section 1304 Incompatible Offices No person shall hold at the same time the office of justice of the peace and that of prothonotary or clerk of any court Nor shall any prothonotary or clerk of any court practice as attorney or counsellor in the court of which he is prothonotary or clerk Nor shall the register of wills of any county practice as aforesaid in the orphans' court of the same county

Section 1305 Appointment of First Deputies The prothonotary clerk of the courts of quarter sessions and oyer and terminer and clerk of the orphans' court and recorder of deeds shall appoint one first deputy to act in the case of the death or resignation of his principal or when the office shall become vacant from other causes The register of wills shall appoint a deputy or deputies as provided by law

Section 1306 Power of Prothonotaries Clerks Deputies and Assistants to Administer Oaths and Affirmations The

prothonotaries clerks of the courts of quarter sessions and oyer and terminer and clerks of the orphans' courts and the deputies of such officers shall have a general power to administer oaths and affirmations Provided That no prothonotary or clerk shall be compelled to administer the same in any matter not pertaining to the proper business of his office Any clerk in the office of the prothonotary designated by the prothonotary shall have the power of deputy prothonotary so far as relates to the administration of oaths and affirmations in the performance of the work of the office

Section 1307 Second Deputy Prothonotary The prothonotary may appoint a second deputy prothonotary who shall possess and discharge all the rights powers and duties of the principal deputy prothonotary during his necessary or temporary absence

Section 1308 Prothonotary to File and Keep Advance Copies of Law The protohonotary shall file and keep in his office advance copies of the law enacted at each session of the General Assembly as they are furnished to him by the Secretary of the Commonwealth for a period of one year from the date of reception of the first of said laws enacted at each session of the General Assembly in such manner that they shall be accessible to the public during the office hours of the prothonotary

Section 1309 Assistant Clerks of Orphans' Court in Counties Having a Separate Orphans' Court The clerk of the orphans' court of each county in which a separate orphans' court is now or hereafter shall be established may appoint an assistant clerk or clerks but only with the consent and approval of said court

The salaries of the assistant clerks shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said courts Provided however That in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely Where there is more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 1310 Solicitor to Register in Counties of the Fifth Class In all counties of the fifth class the register of wills is authorized to appoint one person learned in the law as his solicitor Said solicitor shall advise upon all legal matters that may be submitted to him and shall conduct any litigation when requested so to do by the register of wills

Section 1311 Second Deputy Recorder The recorder of deeds may appoint a second deputy recorder of deeds who shall possess and discharge all the rights powers and duties of the principal deputy recorder of deeds during his necessary or temporary absence

Section 1312 Clerks of Recorders to Administer Oaths The recorder of deeds may appoint one or more clerks employed in his office to administer oaths and affirmations to all persons pertaining to the business of the recorder's office with the same force and effect as if administered by the recorder or deputy recorder

Section 1313 Solicitor to Recorder of Deeds in Counties of the Fourth Class In all counties of the fourth class the recorder of deeds may appoint one person as his solicitor Said solicitor shall advise the recorder of deeds upon all legal matters that may be submitted to him and conduct all litigation connected with the recorder of deeds' office when requested so to do by the recorder of deeds

Article XIV

District Attorney Assistants and Detectives

(a) District Attorney

Section 1401 District Attorney Qualifications Eligibility (a) The district attorney shall be a resident of the county learned in the law and shall have resided in the county for which he is elected or appointed for two years next preceding his election or appointment

(b) In counties of the seventh and eighth classes the district attorney shall have resided in the county for which he is elected or appointed for one year next preceding his election or appointment and be a resident of such county

(c) In counties of the third fourth fifth and sixth classes the district attorney shall have been admitted to practice as an attorney before the Supreme or Superior Courts of this Commonwealth for at least two years prior to the time for taking the oath of office or shall have been admitted to practice before the Supreme or Superior Courts of this Commonwealth for at least six months prior to the time for taking the oath of office and have been practicing law before a court of record of this Commonwealth for at least five years

(d) In counties of the seventh class the district attorney shall have been admitted to practice as an attorney before the Supreme or Superior Courts of this Commonwealth for at least six months prior to the time for taking the oath of office and shall have practiced before a court of record of this Commonwealth for at least two years

(e) In counties of the eighth class the district attorney shall have been admitted to practice as an attorney in the Supreme or Superior Court of this Commonwealth prior to the time for taking the oath of office and shall have practiced law before a court of record of this Commonwealth for eighteen months prior to the time for taking the oath of office

(f) No district attorney shall be eligible to a seat in the Legislature or to any other office under the laws and Constitution of the Commonwealth excepting an office or Commission in the militia of the Commonwealth during his continuance in office

Section 1402 Duties of District Attorney Entry of Nolle Prosequi (a) The district attorney shall sign all bills of indictment and conduct in court all criminal and other prosecutions in the name of the Commonwealth or when the Commonwealth is a party which arise in the county for which he is elected and perform all the duties which now by law are to be performed by deputy attorney general and receive the same fees or emoluments of office

(b) The district attorney shall not enter a nolle prosequi in any criminal case either before or after bill found or discharge a prisoner from custody without first having obtained the approval of the court in writing

Section 1403 Expenses Incurred by District Attorney All necessary expenses incurred by the district attorney or his assistants or any officer directed by him in the investigation of crime and the apprehension and prosecution of persons charged with or suspected of the commission of crime shall be paid by the county from the general funds of the county upon the approval of the bill of expenses by the district attorney and the court In any case where a defendant is convicted and sentenced to pay the costs of prosecution and trial the expenses of the district attorney in connection with such prosecution shall be considered a part of the costs of the case and be paid by the defendant

Section 1404 Filling of Vacancies If any vacancy shall occur in the office of district attorney either by death resignation removal from office or from the county or otherwise the judges of the court of common pleas shall supply such vacancy by the appointment of a competent person to fill the office during the balance of the unexpired term

Section 1405 Misconduct of District Attorney (a) If any district attorney shall wilfully and corruptly demand take or receive any other fee or reward than such as is prescribed by law for any official duties required by law to be executed by him in any criminal proceeding or if such district attorney shall be guilty of wilful and gross negligence in the execution of the duties of his office he shall be guilty of a misdemeanor in office and on conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000) and to undergo imprisonment not exceeding one (1) year and his office shall be declared vacant

(b) Upon complaint in writing verified by the oath or affirmation of the party aggrieved made to the court in which any district attorney shall prosecute the pleas of the Commonwealth charging such district attorney with wilful and gross negligence in the execution of the duties of his office the court shall cause notice of such complaint to be given to the district attorney and of the time fixed by the court for the hearing of the same If upon such hearing the court shall be of opinion that there is probable cause for the complaint they shall hand over or commit the district attorney to answer the same in due course of law If the court shall be of opinion that there is no probable cause for such complaint they shall dismiss the same with reasonable costs to be assessed by the court

Section 1406 District Attorney Charged with Crime If any district attorney is charged according to law with any crime or misdemeanor before or bound over or committed by any court to answer for wilful and gross negligence in the execution of the duties of his office it shall be the duty of the court to appoint some competent attorney thereof to prepare an indictment against such district attorney and to prosecute the same on behalf of the Commonwealth until final judgment Such attorney shall be paid by the county for his services a reasonable compensation to be fixed by the court If such district attorney shall be convicted of any crime for which he may be sentenced to imprisonment by separate or solitary confinement at labor his office shall be declared vacant by the court

Section 1407 Law Books for District Attorney The county commissioners may purchase for the use of the office of the district attorney out of the funds of the county such law books as may be selected by the district attorney and approved by the president judge of the court

Section 1408 Police Radio in Third Class Counties The district attorney of any county of the third class may with the consent and approval of the county commissioners at the expense of the county purchase and maintain a short wave police radio receiving and transmitting set and the necessary equipment therefor to be installed and used in the office provided for the district attorney

Section 1409 When Private Counsel May Prosecute If any district attorney shall neglect or refuse to prosecute in due form of law any criminal charge regularly returned to him or to the court of the proper county or if at any stage of the proceedings the district attorney of the proper county and the private counsel employed by the prosecutor shall differ as to the manner of conducting the trial the prosecutor may present his petition to the court of the proper county setting forth the character of the complaint and verify the same by affidavit If the court shall be of the opinion that it is a proper case for a criminal proceeding or prosecution it may direct any private counsel employed by such prosecutor to conduct the entire proceeding and where an indictment is necessary to verify the same by his own signature as fully as the same could be done by the district attorney

(b) Assistant Special Deputy and Acting District Attorneys

Stenographers and Clerks

Section 1420 Assistant District Attorneys Number Compensation In counties of the third fourth fifth and sixth classes the district attorney may appoint such number of assistants learned in the law to assist him in the discharge of his duties as is fixed by the salary board of the county The salary board shall fix the salary of each such assistant

Section 1421 Designation of First Assistant Powers and Duties In all cases where more than one assistant district attorney is appointed the district attorney shall designate one of such assistants as his first assistant Such first assistant or the assistant district attorney where only one is appointed shall in the absence of the district attorney from the jurisdiction or during his disability to perform the duties of his office through sickness or other cause be vested with all the duties powers and privileges given by law to the district attorney and generally at such time be empowered to do and perform all things in connection with his office which the district attorney may by law be entitled to do or perform In case of any such incapacity of the district attorney or his first assistant or both any or all of such duties powers and privileges may be done by such other assistant district attorneys if any as may be designated by the district attorney

Section 1422 Special Assistants The district attorney of any county of the seventh and eighth classes and the district attorney of any county of the sixth class wherever no regular assistant district attorney has been appointed under section 1420 of this act may with the approval of the salary board appoint an assistant attorney learned in the law to aid in the preparation and trial of any indictment for homicide or murder on behalf of the Commonwealth

Section 1423 Appointment of a Deputy for One Term of Court In any case where there is no regularly appointed assistant district attorney if in case of sickness or from any other cause the district attorney shall be unable to attend to the duties and business of the term of a court he may appoint some competent attorney of the county with the approval of the court to act as his deputy for one term but for no longer period The salary of such deputy shall be fixed by the salary board

Section 1424 Court May Appoint a District Attorney for the Time Being It shall be the duty of the court of quarter sessions of any county to appoint a district attorney for the time being in all cases where the district attorney and his assistants shall be absent from the court Such person so appointed shall perform all the duties of the office until the regular district attorney or one of his assistants shall appear in person to perform the same and shall be paid such compensation by the county as may be fixed by the court

Section 1425 Indictment and Cost Clerk in Counties of the Fourth Class The district attorney of any county of the fourth class in addition to other assistants authorized in this subdivision may appoint an assistant learned in the law who shall be designed as indictment and cost clerk to assist the district attorney in the discharge of his duties

Section 1426 Stenographers and Clerks (a) In counties of the third class the salary board may provide for the appointment by the district attorney of such clerks and stenographers in his office as may be deemed necessary for the proper dispatch of business

(b) In counties of the fourth and fifth classes the district attorney may employ a stenographer or stenographers

(c) In counties of the sixth class the district attorney may employ a stenographer

(d) In counties of the seventh class the district attorney may employ a stenographer

(e) In counties of the eighth class the district attorney may with the consent of the county commissioners employ a stenographer

(e) County Detectives

Section 1440 Appointment Duties and Compensation of County Detectives (a) In counties of the third and fourth classes the district attorney may appoint one chief county detective one assistant county detective and such other county detectives as the county commissioners may by resolution authorize

(b) In counties of the fifth sixth seventh and eighth classes the district attorney may appoint one chief county detective and such other county detectives as the commissioners may by resolution authorize

(c) County detectives shall at all times be subject to the orders of the district attorney and shall investigate and make reports to him as to the conduct in office of magistrates constables deputy constables and other officers connected with the administration of criminal law shall make investigations and endeavor to obtain evidence required by the district attorney in criminal cases

and shall perform such other duties as the district attorney may direct

(d) County detectives shall be general police officers and shall have the powers conferred on constables by the laws of this Commonwealth so far as they relate to criminal law and procedure

(e) County detectives of every grade and rank in addition of their annual salary shall be allowed their expenses actually and necessarily incurred in the performance of their duties Such salaries and expenses shall be paid by the county as provided by law No county detective shall be entitled to any fee whatsoever

Section 1441 Appointment of Special Detective with Approval of Court The district attorney of any county may with the approval of the salary board whenever the court of quarter sessions and district attorney may deem it necessary for a particular and temporary assignment appoint a special detective whose duty it shall be to assist in obtaining such evidence as shall be directed by the district attorney for the Commonwealth and perform such other duties as the court may direct He shall be allowed expenses necessarily and actually incurred in the performance of his duties

Such special detective officer shall be a general police officer and shall have all the powers that are conferred on constables by the existing laws of this Commonwealth so far as they relate to crimes or criminal procedure

Article XV

Jury Commissioners

Section 1501 Jury Commissioners Eligible for Re-election Two jury commissioners shall be elected in each county as hereinbefore provided Any jury commissioner shall be eligible for re-election for any number of terms

Section 1502 Bipartisan Jury Commission Required The two citizens elected as jury commissioners shall not be of the same political party The candidate for the office who receives the highest number of votes shall be one of the jury commissioners and the other shall be that candidate not being of the same political party as the first who receives the next highest number of votes

Section 1503 Oath of Elected Jury Commissioners Each elected jury commissioner or any person appointed to fill a vacancy in the office of elected jury commissioner before entering upon the duties of his office shall take the following oath or affirmation

"You and each of you do swear (or affirm) that you will use your utmost endeavors and diligence in making an impartial selection of competent persons for jurors during the ensuing year and that you will not suffer partiality favor affection hatred malice or ill will in any case or respect whatever to influence you in the selecting drawing or returning of jurors but that you will in all respects honestly conform to the true intent and meaning of the acts of assembly in such case made and provided"

Section 1504 Filling of Vacancy In case of the inability of either or both of the jury commissioners by sickness death or other unavoidable cause to discharge the duties of said office or in case of neglect or refusal to serve thereon it shall be the duty of the president judge to appoint a suitable person or persons as the case may be to perform the duties of said office during the remainder of the term so vacated

Section 1505 Clerk Office Facilities Expenses The jury commissioners may appoint a clerk If the jury commissioners shall fail to appoint a clerk within thirty days after they qualify for office or shall thereafter for a period of thirty days fail to fill any vacancy in said position the county commissioners shall appoint a clerk for them The clerk to the jury commissioners shall assist them in the preparation and filling of the jury wheel in drawing jurors and such other clerical matters as may be assigned him

The county commissioners shall provide suitable offices quarters and facilities for the jury commissioners The necessary expenses as determined by the county commissioners of the jury commissioners in the performance of their duties shall be paid by the county

Article XVI

Fees of Salaried County Officers Salary Boards

(a) Fees of Salaried County Officers

Section 1601 Fees of Salaried County Officers to Belong to County All fees limited and appointed by law to be received by any county officer either elected or appointed or which they shall legally be authorized required or entitled to charge or receive shall belong to the county in the following circumstances (1) fees of every such officer in counties containing over one hundred and fifty thousand inhabitants and (2) in counties containing one hundred and fifty thousand or less inhabitants fees of every officer for whom a salary is fixed by law The provisions of this subdivision shall apply to all fees belonging to the county and to all officers hereinbefore designated Each of the said officers shall exact collect and receive all such fees to and for the use of his respective county except such taxes and fees as are levied by the Commonwealth which shall be to and for the use of the Commonwealth None of said officers shall receive for his own use or for any use or purpose whatever except for the use of the proper county or for the Commonwealth as the case may be any fees for any officiel services whatsoever except where the statute expressly designates the officer as agent of the Commonwealth and authorizes him to retain a part of such monies for his own use

Section 1602 Books of Account to be Kept Fees to be Paid to County Treasurer Monthly (a) Each of said officers shall keep a special account book the form of which shall be prescribed by the controller or where such officer does not exist then by the county auditors in which entry shall be made of all the moneys received for fees and of all moneys earned and chargeable upon the county specifying the day and date the title of the case if any for what service and from whom received

(b) On the first Monday of each month each of said officers shall pay to the treasurer of the proper county all fees so received during the preceding month Duplicate receipts therefore shall be taken one of which he shall deposit with the county controller or the county auditors where the office of controller does not exist together with a transcript in detail of his fee account book or books for the preceding month He shall make oath or affirmation before the county controller or the county auditors where the office of controller does not exist that the transcript contains a true and correct list of all the fees received earned or chargeable upon the county for services rendered in his office either by himself deputies or clerks during the preceding month that said fees were severally charged and collected at regular rates and that he has not received and is not to receive from any person or persons whatsoever for any official services or duty any other fees than those so entered on said transcript

(c) It shall be the duty of the county controller or the county auditors where the office of county controller does not exist on the first Monday of each month to receive such returns to audit and verify the same and to do such other matters and things as may be required in the premises to file said receipt and transcript in the office and to charge the county treasurer with the money for fees so paid in

(d) Where fees are paid to one office which are for services rendered or to be rendered by another the officer receiving the same shall specify the same on his account book and on his transcript as of the office to which they properly belong

Section 1603 Penalty for Receiving Gratuities or Percentages If any of the officers included in this subdivision shall receive or stipulate to receive from any deputy or clerk or from any person or persons awarded any contract for advertising or any other contract any sum or sums of money as percentage on the salaries of said deputy or clerk or on the amounts or profits of said contract or any sum or sums of money whatsoever as compensation for making any of the said appointments or contracts or shall neglect to render the accounts or to pay over the money received

for fees as required by this subdivision or shall wilfully neglect to make any proper entry in the book or books required to be kept or shall wilfully neglect to charge for any official services the fees allowed by law or shall take to his own use any such fees or fail to comply with any of the provisions of this subdivision or neglect to discharge any of the duties herein imposed the same shall be deemed a misdemeanor in office and in addition to the other penalties for such offenses he shall upon conviction thereof refund the said sum or sums of money thus unlawfully received and shall be deemed incapable of holding the said office

Section 1604 False Swearing to County Accounts Bills or Transcripts Any officer included in this subdivision or any other person who shall wilfully swear or affirm falsely as to the accuracy of any account transcript or bill required is this subdivision or in making any affidavit in reference thereto shall be deemed guilty of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for perjury and any person who shall procure any other person to swear or affirm falsely in verifying any such account transcript or bill or in making any affidavit in reference thereto shall be deemed guilty of subornation of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for that offense

Section 1605 Officers Subject to This Subdivision to be Paid Salaries All county officers to which this subdivision applies whether elected by the people or appointed according to law and their several deputies and clerks shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each shall respectively belong to the extent except as hereinafter provided of the fees collected and paid in by each officer respectively or earned where fees are chargeable upon the county treasury and said salaries shall be paid semi-monthly or bi-weekly during the month in which the services were rendered at the discretion of the county commissioners of the county No voucher check shall be drawn for the payment of any said officer his deputies or clerks who shall not have filed the receipt and transcript for that month provided for in this subdivision

Section 1606 Salaries Payable from Fees All salaries fixed by law except as may be otherwise provided for herein shall be paid from the amounts paid into the county treasury from the respective offices after ascertaining and deducting the amount due the deputies and clerks in each office If there has not been a sum sufficient from fees received and paid in or earned and due by the county for services rendered to pay the full amount of the salary of any officer holding any of said offices after deducting the amount due the deputies and clerks such officer shall receive only such proportion of his salary as shall be equal to the aggregate of the net fees received and earned by him as aforesaid during his term of office during such month If the fees in any subsequent month or months shall exceed the amount of the expense and salary aforesaid for such month the deficit of such salary for such preceding month shall be made up from such excess

Section 1607 Monthly Returns to be Made of Taxes and Fees Due the Commonwealth (a) At the same time that monthly returns are made as required by section 1602 of this act of the fees received by said officers to and for the use of their respective counties for the preceding month each of said officers shall make a separate return to the Department of Revenue of all taxes or fees collected or earned for the Commonwealth by him if any The amounts so returned by any of said officers as received by him for the Commonwealth shall be separately paid by him into the State Treasury through the Department of Revenue quarterly on the first Mondays of April July October and January for which he shall take duplicate receipts

(b) All commissions on the collection of any such taxes and fees for the Commonwealth shall be deemed and taken as part of the regular fees of the officer collecting the same and shall be accounted for accordingly

(c) The provisions of this section shall apply only to the reporting and payment over of any such taxes or fees and to the treatment of commissions thereon as are otherwise provided for by law

Section 1608 Payment of Certain Officers The county solicitor county jailer county commissioners county controller county surveyor or engineer county detectives county treasurer interpreter of courts district attorney and his assistants shall severally be paid bi-weekly semi-monthly or quarterly at the discretion of the county commissioners of the county They shall be paid the full amount allowed them by law but all fees and emoluments whatsoever that may accrue to any of them by virtue of his office shall be paid by him to the county treasurer as directed by law and all other officers shall be paid the amount assigned them by law in accordance with the provisions of this subdivision

Section 1609 Salaries in Lieu of Fees Except to the extent this section may be inconsistent with the provisions of section 1708 of this act or with any other express provision of this act the salaries fixed and provided by law for county officers shall be in lieu of all or any moneys fees perquisites or mileage expenses and other allowances received or allowed to any such officer and all such moneys fees perquisites or mileage expenses and other allowances not governed by the aforesaid exceptions shall belong to the county and shall be paid into the county treasury except where required to be paid to the Commonwealth in the manner provided by this subdivision for fees

Section 1610 Rights of Action and Remedies for Collection of Fees Extended to Counties All rights of action and all other remedies heretofore granted or extended to county officers to whom this subdivision applies for the collection of their respective fees are hereby extended and shall inure to the benefit of the several counties affected by this subdivision for the collection of all fees and costs that may accrue to said counties under the provisions of this subdivision

(b) Salary Boards

Section 1620 Salaries and Compensation The salaries and compensation of county officers shall be as now or hereafter fixed by law The salaries and compensation of all appointed officers and employes who are paid from the county treasury shall be fixed by the salary board created by this act for such purposes

Section 1621 Fees All county officers shall continue to charge and collect the fees mileage and emoluments of office for their own use or for the use of the county as provided by law and where required by law such fees mileage and emoluments shall be paid to the county treasurer as and when required and if no time of so paying as to any such fees mileage or emoluments then on or before the tenth day of each month

Section 1622 Salary Boards Created There is hereby created in each county a salary board which shall consist of the three individual members of the board of county commissioners and the county controller in counties where there is a controller or the county treasurer in counties where there is no controller The chairman of the board of county commissioners shall be chairman of the salary board The board shall meet and organize on the first Monday of January of each year

Section 1623 Number and Compensation of Officers Deputies Assistants Clerks and Employes The board subject to limitations imposed by law shall fix the compensation of all appointed county officers and the number and compensation of all deputies assistants clerks and other persons whose compensation is paid out of the county treasury (except employes of county officers who are paid by fees and not by salary) and of all court criers dipstaves and other court employes and of all officers clerks stenographers and employes appointed by the judges of any court and who are paid from the county treasury Thereupon the number and compensation of all such officers deputies assistants clerks and persons whether fixed by statute or by any other method are hereby re-

pealed In the event that any salary board shall fail to fix the number or compensation of any such officers deputies assistants clerks or other employes as required by this section the number and compensation shall continue as fixed by or pursuant to law on the effective date of this act with like effect as though the same had been so fixed by the board but the salary board shall have power to fix any such number or compensation at a later time and with like effect

Section 1624 Revisions of Salary Schedules At each annual meeting the board shall revise the salary schedule so far as it shall deem such action necessary From time to time between annual meetings whenever required by any judge county officer or executive head of any separate board commission or division the number or compensation of whose deputies assistants clerks and employes is sought to be fixed the board shall meet and consider and shall fix and determine the same All salaries fixed under the provisions of this act shall be paid out of the county treasury in the manner provided by law

Section 1625 Procedure and Action of Board (a) Except as herein otherwise provided whenever the board shall consider the number or salaries of the deputies or other employes of any county officer or agency such officer or the executive head of such agency shall sit as a member of the board as long as any matter affecting his office or agency is under consideration and no longer

(b) Whenever the board shall consider the number or salaries of the employes of the board of county commissioners or of the county controller or of the county treasurer when there is no county controller or of the county institution district and the vote of the board is a two and two tie the deciding vote shall be cast by the board of county commissioners acting as a body

(c) Whenever the board shall consider the number or salaries of the court criers or tipstaves or other court employes the president judge of the court shall sit as a member of the board as long as any matter affecting the court criers tipstaves or employes of his court is under consideration and no longer

(d) Whenever the board shall consider the number or salaries of the officers or employes appointed by any judge of any court such judge shall sit as a member of the board as long as any matter affecting any of his appointees is under consideration and no longer

(e) Whenever the board shall consider the number or salaries of the employes of the prison board the president judge of the court of common pleas shall sit as a member of the board and the board so constituted shall fix the number and salaries of such employes notwithstanding any general local or special law to the contrary

(f) The decision of a majority shall govern Each board shall keep a correct minute book of its proceedings in all cases heard and determined by it Such minute book shall be a public record

Section 1626 Restrictions on Salary Board Appeal (a) The actions and decisions of the salary board shall be for the general welfare and economy of the county and it shall not reduce or limit the number or compensation of employes of any office or agency to such an extent that it will seriously interfere with or endanger the efficiency or any of the necessary functions of any county office or agency

(b) Any county officer or the executive head of any county agency who believes the salary board has violated the intent and purpose of this section as to his office or agency may appeal such question to the court of common pleas If the court after due hearing shall decide the salary board has violated this section it shall make such order as it deems necessary to bring the actions of the board in conformity with the intent and purpose of this section

Article XVII

Fiscal Affairs
(a) Fiscal Policy and Systems

Section 1701 Functions of County Commissioners The county commissioners shall be the responsible managers and administrators of the fiscal affairs of their respective counties in accordance with the provision of this act and other applicable law

Section 1702 Functions of the Controller Subject to the power and duty of the county commissioners to manage and administer the fiscal affairs of the county the controller shall supervise the fiscal affairs of the county including the accounts and official acts relating thereto of all officers or other persons who shall collect receive hold or disburse the public moneys of the county The discretionary powers of the controller shall not be applicable to the management of the fiscal policies of the county commissioners or to matters not involving the accounts and transactions of officers or other persons of the county but the controller shall refuse to authorize any fiscal transaction which is by law subject to his supervision or control where it appears that such transaction is not authorized by law or has not been undertaken according to law or has not received approval according to law or as to which he desires upon reasonable grounds to investigate for or has already discovered any fraud flagrant abuse of public office or any criminal act or neglect of any officer or other person of the county relating to their public accounts and transactions He may at any time require from any such officers or other persons in writing an account of all moneys or property which may have some into their control Immediately on the discovery of any default or delinquency he shall report the same to the commissioners who shall immediately take action to recover the money and to the district attorney of the county for such prosecution as may be warranted and shall take immediate measures to secure the public moneys or property

Section 1703 Accounts of Officers The controller shall furnish the commissioners of the county whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the county and shall during regular office hours give information respecting any of said accounts to any taxpayer of the county demanding the same

He shall have power and authority to require each and every county officer to make a quarterly statement with respect to moneys in his possession or control as a county officer showing the amount of cash on hand and the amount deposited in banks banking institutions and trust companies together with the names of such institutions He shall have power to examine every such account of a county officer in any bank banking institution or trust company to verify the accuracy of the statement of such county officer It shall be the duty of every such bank banking institution or trust company its officers and agents to furnish full information to the controller in relation to the account of such county officer No bank banking institution or trust company its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any account of a county officer

Section 1704 Custody of Valuable Documents The controller shall have the custody of all title deeds to real estate owned by the county and of all contracts entered into by or on behalf of the county and of all books documents and papers relating to its financial affairs and of all bonds and other obligations issued by said county when paid Such bonds and other obligations when so paid shall be distinctly cancelled by the controller and carefully and regularly filed a register of which cancellation shall be kept by him in a book to be provided for that purpose

Section 1705 Books of Fiscal Affairs The controller shall keep a full and regular set of books in detail by double entry of all the fiscal operations of the county embracing as many accounts under appropriate titles as may be necessary to show distinctly and separately all the property of the county its receipts and expenditures and all debts and accounts due by the county officers or others and the amount raised from each source of revenue and the expenditures in detail and classified by reference to

the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of said county in connection with the fiscal affairs of the county Where the controller prescribes a new system of accounting as to the fiscal affairs of the county offices it shall be subject to the approval of the county commissioners

(b) Accounts Audits and Reports by Controller or Auditors

Section 1720 Controller's Settlement of Accounts Report to Common Pleas Publications Financial Report to Department of Internal Affairs The controller shall at the end of each fiscal year complete the audit settlement and adjustment of the accounts of all county officers He shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified by reference to the object thereof together with a full statement of the financial conditions of the county Such report shall thereupon be published one time in such newspaper published in said county as the controller may direct but the aggregate cost thereof shall not exceed fifteen hundred dollars ($1500) in any one year in any county to be paid for out of the county treasury Such report may also be published in printed pamphlets at the cost of the county the number and cost of such pamphlets to be determined by the controller and the county commissioners The controller shall also within sixty days after the close of the fiscal year make an annual report to the Department of Internal Affairs of the financial condition of the county on forms furnished by the Secretary of Internal Affairs and subject to the penalties provided in section 1921 of this act for auditors refusing or neglecting to make similar reports

Section 1721 Audit of Accounts by Auditors Report to Common Pleas Publications Financial Report to Department of Internal Affairs (a) The auditors shall audit settle and adjust the accounts of all county officers of the county and make an annual report thereof on or before the first Monday of March to the court of common pleas unless upon due cause shown the court shall grant an extension of time therefor Said report shall be in detail showing distinctly and separately all receipts and expenditures of the several offices and all debts and accounts due and the amount raised from each source of revenue and the expenditures in detail and classified by reference to the object thereof together with a full statement of the financial conditions of the county and a statement of the balance due from or to such county officers

(b) The auditor's report shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of common pleas and shall be published once in such newspapers published in said county as the commissioners direct The expense of the publication of said report shall be paid by the county

(c) The county auditors shall also make an annual report of the financial condition of the county to the Department of Internal Affairs which report shall be signed by a majority of the auditors and duly verified by the oath or affirmation of one of the auditors The report shall be presented on a form furnished by the Secretary of Internal Affairs and shall be filed within sixty days after the close of the fiscal year

(d) Any auditors refusing or wilfully neglecting to file the report required by this section shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars ($5) for each day's delay beyond said sixty days and costs All fines recovered shall be for the use of the Commonwealth

Section 1722 Audit of the Accounts of Parole and Probation Officers and of Appropriations to National Guard Units It shall be the duty of the controller or county auditors to audit settle and adjust the accounts of every parole and probation officer appointed by the court pursuant to law who shall receive from any person or persons moneys paid under any order sentence or judgment of any court and to report the results of such audits to the court which shall have appointed such officer The controller or county auditors shall likewise audit settle and adjust the accounts of any moneys appropriated by the county to units of the National Guard

Section 1723 Accounts and Audits of Moneys Collected for Taxing Units Within the County Payments All taxes penalties fines and costs collected by the county treasurer and belonging to any city borough township incorporated town school district or institution district shall be entered and carried in the books of the county in the same manner as county moneys shall be audited in like manner and when paid to the taxing district entitled thereto as provided by law such payments shall be made on voucher checks in the same manner as payments are made of county moneys

Section 1724 Audit of Accounts of Commonwealth Moneys It shall also be the duty of the controller or auditors to audit settle and adjust the accounts of the treasurer of the county with the State Treasury and of each of such other officers in the county receiving money for the use of the Commonwealth as may be referred to them by the Auditor General or the Department of Revenue and to make a separate report thereof to the court of common pleas together with a statement of the balances due from or to such treasurer or other officer A certified copy of such report shall be transmitted to the Auditor General or Department of Revenue as the case may be within ten days after the same is prepared

Section 1725 Power of Subpoena and Attachment The controller or auditors shall have power to issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any person whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner and to the same extent as any court of common pleas of this State may or can do in cases pending before them and also to compel in like manner the production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be served and executed by the sheriff or coroner of the county as the case may require

Section 1726 Power to Administer Oaths The controller or auditors shall have power to administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise and all persons swearing or affirming falsely on such examination shall be guilty of perjury

Section 1727 Commitment to County Jail If any person appearing before the controller or auditors for examination shall refuse to take oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall be put to him by the controller or auditors touching the public accounts or the official conduct of any public officers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two hundred dollars ($200) or to undergo imprisonment of not more than sixty days

Section 1728 Witness Fees Witnesses attending before the controller or auditors shall receive the same allowance as is received by witnesses attending before the courts of this Commonwealth Such allowances shall be paid out of the county treasury and where final judgment is given against any officer whose accounts are settled by the controller or auditor shall be included in the costs assessed against such officer

Section 1729 Settlement of Accounts on Extraneous Proof If any person in possession of books vouchers or papers relative to public accounts before the controller or auditors shall refuse to produce the same or if any officer whose accounts are to be settled and adjusted by the controller or auditors shall refuse to attend or submit to examination the auditors or controllers shall proceed by the examination of witnesses and other evidence to ascertain and settle as near as may be the

amount of public money received by such officer and its application to public purposes or otherwise

Section 1730 Filing Reports The reports of the controller or auditors shall be filed among the records of the court of common pleas of the county and from the time of such filing shall have the effect of a judgment against the real estate of the officer who shall thereby appear to be indebted either to the Commonwealth or to the county

Section 1731 Appeals from Reports An appeal may be taken from such reports to the court of common pleas either by the Commonwealth the county or the officer Such appeal may also be taken by ten or more taxpayers in behalf of the county in the manner and subject to the restrictions provided by article thirty of this act

Such appeal shall be entered by the Commonwealth within four months and by the county and the officer within sixty days after the filing of the report If the officer is the appellant he shall enter into a recognizance with two sufficient sureties in double the sum found due by such report with condition to prosecute the appeal with effect and to pay the costs and such sum of money as shall appear on the final determination of the appeal to be due from him

Section 1732 Form of Issue on Appeals The courts of common pleas shall direct the form in which the issues shall be entered in all appeals from the reports of the county controller or auditors Such issues shall be tried by a jury or may be submitted to reference and arbitration in the manner and subject to the proceedings provided by law

Section 1733 Allowance of Counsel Fees When an appeal is taken from the county auditors' reports or the controller's reports and such appeal results favorably to the appellants in such a manner that money is recovered for any county the court hearing such appeal shall make an order to pay a counsel fee which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered

Section 1734 Payment of Costs on Appeal In case the appellant or appellants do not recover final judgment in court more favorable to him or them than the report of the auditors or controller he or they shall pay all costs that may accrue on his or their appeal but if he or they should recover in court a final judgment more favorable than the report of the auditors or controller then the appellee or appellees shall pay the costs that may accrue on such appeal

Section 1735 Appeals to the Superior or Supreme Court In all appeals from settlements or reports made by the county controller or auditors it shall be lawful for any party to except to any ruling or decision of the court upon any question or point of law that may arise and an appeal may be taken therefrom to the Superior or Supreme Court as in other cases

In no case shall the controller or auditors or any of them be personally liable for the costs of any such appeal If the final decision of the Superior or Supreme Court is adverse to the surcharged officer or officers he or they shall each be individually liable for all the costs of such appeal If such final decision shall be in favor of such surcharged officer or officers the county shall pay the costs of such appeal

Section 1736 Execution If no appeal is entered or if an appeal is entered and no security given as herein required or if upon such appeal judgment is given in favor of the Commonwealth or the county execution shall issue against the property or person of the defaulting officer in like manner as upon judgment recovered in the usual course of law

Section 1737 Fines and Forfeited Recognizances All fines forfeited recognizances and other forfeitures imposed lost or forfeited in any court except such as are directed to be paid into the State Treasury under the provisions of law or such as are collected for the violation of any ordinance shall by the clerk of such court be certified and estreated into the office of the commissioners of the county within ten days after the expiration of the term at which such fines and forfeitures were imposed together with the judgments and orders of the court on all forfeited recognizances sued upon in such court Such estreats or returns of fines and forfeitures shall be under oath or affirmation of the clerk All sums of moneys collected in pursuance thereof shall be paid to the county treasurer for the use of the county It shall be the duty of the commissioners to superintend the collections of said sums of money The accounts thereof shall be annually settled by the county controller or county auditors Nothing herein contained shall impair the right of the respective Courts to moderate or remit forfeited recognizances as heretofore

Section 1738 Repayment of Money Collected on Forfeited Recognizances In all cases where the county commissioners have collected any money upon any forfeited recognizance duly estreated to the county commissioners and where the defendant in such cases subsequently surrenders himself or herself to the jurisdiction of the court the county commissioners may with the consent of the district attorney repay to the party from whom such money was collected the amount so collected on such forfeited recognizance exclusive of all costs paid or incurred by the county in such proceeding

(c) Disbursals of County Moneys

Section 1750 Claims Against County The controller or the county commissioners in counties having no controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the county except such as are otherwise provided for in this subsection All persons having such claims shall first present the same to the controller or to the county commissioners as the case may be and if required make oath or affirmation before him or them to the correctness thereof The controller or the commissioners as the case may be may if he or them deem it necessary require evidence by oath or affirmation of the claimant and otherwise that the claim is legally due and that the supplies or services for which payment is claimed have been furnished or performed under legal authority He or they may inquire or ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evasion of the provisions of this act by making two or more contracts for small amounts which should have been in one If he or they shall find that there has been any evasion or that any such officer or agent is so interested he or they shall refuse to approve the claim

Section 1751 Voucher Check System The controller shall draw and certify voucher checks for all bills claims and demands presented to him which he approves and only for such as he approves and shall forward the voucher checks together with the bill claim or demand to the county commissioners for their approval If the county commissioners approve at least two commissioners shall sign the checks as properly drawn upon the county treasury In such cases facsimiles of their signatures may be used The bill claim or demand and the voucher therefor shall be returned to the controller for filing in his office and the check shall be forwarded to the county treasurer The county treasurer shall sign the check as his draft upon the county treasury but he shall not sign any check not already signed as herein provided by the commissioners and the controller Vouchers shall be numbered serially before the controller forwards them to the county commissioners and every check incident thereto shall bear the same serial number as the voucher as well as the number or numbers which may be put upon it by the county treasurer If the county commissioners refuse to approve any bill claim or demand they shall return the same together with the voucher check or checks involved to the controller for filing in his office In counties not having a controller the county commissioners shall approve each transaction and the voucher checks shall be drawn by their chief clerk who shall keep the files of the bills claims or demands involved

and of the vouchers At least two commissioners shall sign the checks either personally or by facsimile and they shall be forwarded as thereinbefore provided to the county treasurer for his signature In all cases the cancelled checks shall be filed in the office of the county treasurer but he shall transmit at such times as the controller shall establish a list of all checks paid from the county treasury and not previously transmitted giving their voucher serial numbers

Section 1752 Claims Not Approved by Controller If the controller does not approve a claim bill or demand presented to him he shall within thirty days forward it to the county commissioners together with his notice that he has refused to approve the same and his reasons therefor The county commissioners shall consider the claim bill or demand and if they consider that it should be paid by the county they shall so notify the controller If the controller thereafter continues to refuse his approval no payment shall be made thereon by the county except pursuant to an order of court upon a proper issue thereto directing the controller to approve payment

Section 1753 Controller's Register of Voucher Checks Reports to Commissioners The controller shall keep a register of all vouchers drawn and a copy of each voucher When the check or checks drawn upon each voucher has been paid by the treasury the controller shall cancel the voucher or otherwise indicate the payment The controller shall report to the commissioners monthly or oftener if required by them the amount of outstanding voucher checks registered and the amount of money in the treasury or the amount of any particular unencumbered appropriations items involved

Section 1754 Payment of Salaries Fixed by Salary Board Oaths Required Each employe whose compensation is fixed by the salary board shall be paid by check on which shall be printed or stamped a statement affirming that such employe has duly rendered services to the county for which he claims the compensation and that he has not at any time because of his appointment performed any work in connection with private property The endorsement of the check in the usual manner by the employe shall also be considered as a certification by him of the truth of the facts set forth in said statement The compensation shall be paid direct to the person entitled to receive the same

Section 1755 Fees of Witnesses and Jurors Fees of jurors and witnesses shall be ascertained by the courts of the county entered upon the records thereof and duly certified by their respective clerks to the commissioners being first sworn to or affirmed before the controller or the chief clerk of the commissioners as the case may be The commissioners then may draw voucher checks therefor without approval of the controller The certificates shall be filed with the controller or the commissioners where there is no controller after the voucher checks are issued

(d) County Treasury and County Depositories

Section 1760 Receipts and Accounts of Money Due County The county treasurer shall receive and receipt for all moneys due or accruing to the county He shall keep proper accounts of all moneys received and disbursed His books shall be at all times during office hours open to the inspection of the controller or the commissioners or any of them in counties having no controller He shall issue receipts at least in triplicate for all moneys received for the county and shall transmit the duplicate or triplicate thereof daily to the controller or to the county commissioners in counties having no controller Said receipts shall be serially numbered shall indicate the amount of money received from whom on what account and the date He shall likewise keep daily records of all disbursals from the county treasury and shall forward daily records thereof to the controller or the commissioners as the case may be The controller or the chief clerk of the commissioners where there is no controller shall have the right to a certified daily or monthy deposit slip from the county depository or depositors without prejudice to the said depositors of all moneys deposited in the name of the county by the treasurer In counties having no controller the treasurer shall render at least quarterly and oftener if required a statement of all moneys received and disbursed since his last statement showing the balance remaining in his accounts and the names of the collectors having arrearages in taxes with the amounts thereof He shall state his accounts at the end of each fiscal year producing his vouchers which statement and vouchers shall be examined by the commissioners and delivered by them to the auditors for settlement

Section 1761 Moneys Paid for the Redemption of Unseated Land Sold for Taxes The treasurer shall pay over to his successor in office all moneys paid to him for the redemption of unseated land sold for taxes which have not been called for by the purchasers at treasurer's sale or their legal representatives during the continuance in office of such treasurer The county controller or auditor shall charge the moneys so received to said treasurer in the same manner that other money received by him is charged and the same shall be paid to said purchasers or their legal representatives when called for by orders drawn by the commissioners of the county upon the treasurer as in other cases

Section 1762 Depositories (a) The county commissioners of all counties shall from time to time designate by resolution a depository or depositories for all county funds Such depository or depositories shall be banks banking institutions or trust companies located in the Commonwealth

(b) Depositories so designated shall upon receipt of notice of their selection as a depository of county funds furnish a bond to secure payment of deposits and any interest to the county secured by a surety company or by the depositing in escrow of securities to be approved by the county commissioners The parties may by agreement provide for substitution of securities so held in escrow the securities in every case to be approved by the commissioners Such bonds shall be in a sum to be fixed my resolution of the county commissioners

(c) The county treasurer shall upon the designation of such depository or depositories immediately transfer thereto all county funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the county Withdrawals from such depository shall be only upon properly authorized checks drawn by the county treasurer

(d) Neither county commissioners nor treasurer complying with the provisions of this section nor their surety or sureties shall be chargeable with losses of county funds caused by the failure or negligence of such depository or depositories

Section 1763 Meeting Number of Depositories The board shall meet at the office of the county controller not later than noon of the third Wednesday after the first Monday of January following the election of the county treasurer and thereafter as may be necessary and shall there decide upon the number of banks and banking institutions not less than three in number as depositories of county funds for such period of time as the board may determine but not to exceed the term for which the treasurer is elected

Section 1764 Designation and Qualification of Depositories At said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county

Depositories so designated shall upon receipt of notice of their selection as a depository of county funds furnish collateral to secure payment of deposits and interest to the county by depositing in escrow securities to be approved by the board Such securities shall be of the kind and in the amount to be fixed by the board Substitution of such securities may be made with the approval of the board in each case

The county treasurer upon the designation of such depository or depositories shall immediately transfer thereto all county funds and shall thereafter keep such deposits solely in such depository or depositories in

the name of the county and withdrawals shall be only upon properly authorized checks drawn by the county treasurer

(e) County Taxation Borrowing and Transfer of Funds

Section 1770 Tax Levies No tax shall be levied on personal property taxable for county purposes where the rate of taxation thereon is fixed by law other than the rate so fixed The county commissioners shall fix by resolution the rate of taxation for each year No tax for general county purposes exclusive of the requirements for the payment of the interest and principal of the funded debt of any county shall in any one year exceed the rate of ten mills on every dollar of the adjusted valuation In fixing the rate of taxation the county commissioners if the rate is fixed in mills shall also include in the resolution a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

The rate of taxation fixed for any occupation tax levied by a county shall not exceed the rate of taxation fixed by the commissioners for real estate taxation for the year

Section 1771 Temporary Loans Whenever the funds of a county have been exhausted the county commissioners may borrow on the credit of the county money in anticipation of taxes to be collected for the current fiscal year and issue a certificate of indebtedness payable on a certain date not exceeding one year from the date of issue

Section 1772 Transfer of Certain Moneys into General Fund of County The commissioners may transfer and cover into the general fund of the county any money placed to the credit of any city borough or township where the same has been paid into the county treasury upon any duplicate for taxes and has remained during a period of ten years uncalled for by the authorities of the city borough or township to whose credit it may have been placed and the right to said money is not at the time of such transfer a matter of litigation or dispute

(f) Budgets

Section 1780 Fiscal Year and Passage of Budgets The fiscal year of each county shall begin on the first day of January

Section 1781 Preparation of Proposed Annual Budget (a) The commissioners at their first meeting after the November election in each year shall begin the preparation of the proposed budget for the succeeding fiscal year

(b) The controller shall transmit to the commissioners a comparative statement of revenues for the current and the immediately preceding fiscal year and a comparative statement of expenditures including interest due and to fall due on all lawful interest bearing debts of the county for the same years giving estimates for the balance of the current year

(c) The controller's statement shall also indicate the amounts of all appropriation requests submitted to the controller or to the commissioners and supplied by them to the controller from the several county offices and agencies including estimates of expenditures contemplated by the commissioners as forwarded by them to the controller

(d) Said statements in such form and detail as the commissioners direct shall be prepared upon a form or forms furnished as provided in this subdivision by the Department of Internal Affairs of the Commonwealth With this information as a guide the commissioners shall within a reasonable time begin the preparation of a proposed budget for the succeeding fiscal year

(e) In counties not having a controller the commissioners shall prepare the statements hereinbefore required In counties having a controller the controller in addition to preparing said statements shall advise with and assist the commissioners in preparing the proposed budget

Section 1782 Publication of Proposed Budget and Notice of Final Action Date for Budget (a) The proposed budget shall be prepared notice thereof shall be published and the proposed budget shall be made available for public inspection for at least twenty days prior to the date set for adopting the budget The date set for final action on the budget shall likewise be made a matter of public notice for at least ten days prior thereto

(b) Should it appear upon any revision of the proposed budget after it has been published that the estimated expenditures in the adopted budget would be increased more than ten per centum in the aggregate or more than twenty-five per centum in any individual item over the proposed budget as made available for public inspection such revised budget shall not be adopted with any such increases therein unless it be again made available for public inspection and for protest of such increases for a period of at least ten days after notice to that effect is published as hereinbefore provided

Section 1783 Annual Budget Appropriations and Tax Rate Fling Budget The budget shall reflect as nearly as possible the estimated revenues and expenditures for the year for which it is prepared It shall be prepared on forms provided in accordance with this subdivision by the Department of Internal Affairs The commissioners shall upon adopting the budget adopt the appropriation measures required to put it into effect and shall fix such rate of taxation upon the valuation of the property taxable for county purposes as will together with all other estimated revenues of the county raise a sufficient sum to meet the said expenditures Within fifteen days after the adoption of the budget the commissioners shall file a copy thereof in the office of the Department of Internal Affairs

Section 1784 Supplemental Appropriations Transfers of Funds Appropriation Limits The commissioners may at any time by resolution make supplemental appropriations for any lawfu purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law The commissioners may authorize the transfer of any unencumbered balance of any appropriation item or any portion thereof During the last fifteen years of any fiscal year they may authorize the transfer of any unencumbered balance or any portion thereof from any county fund to any fund of the institution district and to reappropriate such moneys to the institution district No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the county commissioners which will cause the sums appropriated to be exceeded

Section 1785 Amending Budget Notice Revisions Filing Amended Budget Prior to the first day of March next following the election of the county commissioners they may amend the budget and the appropriations and tax rate to conform with the amended budget A period of ten days public notice of the proposed amendments as provided for notice of the proposed budget shall intervene between the proposal to amend and the adoption of any such amended budget Any amended budget must be finally passed by the commissioners prior to the first day of March and any purported amendment of the budget in any subsequent month shall be void and of no effect

No proposed amendments to the budget shall after publication thereof be revised upward in excess of ten per centum in the aggregate thereof or as to an individual item in excess of twenty-five per centum of the amount of such individual item in the proposed amendment Within fifteen days after the adoption of an amended budget the commissioners shall file a copy thereof in the office of the Department of Internal Affairs

Section 1786 Committee to Prepare Uniform Forms (a) The budget and report forms specified in the foregoing section of this article shall be prepared by a committee consisting of three representatives from the Pennsylvania State Association of County Commissioners three representatives from the Pennsylvania State Association of County Controllers one member of the Senate and one member of the House of Representatives of the General Assembly who shall be members of the Local Government Commission designated by the chairman of said Commis-

sion and the Secretary of Internal Affairs or his agent who shall be a person trained in the field of municipal finance

(b) Such representatives shall be appointed by the president of each said organization In the case of representatives of the county commissioners one shall be appointed from a county of either the third or fourth class one from a county of either the fifth or sixth class and one from a county of either the seventh or eighth class The president of each said organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment Said representatives shall serve without compensation but they shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee

(c) The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as Chairman of the committee The secretary of Internal Affairs may call meetings of the committee and shall do so at the request of the secretary of either of said associations but in every case there shall be at least two weeks notice to each member of the committee of any such meeting

(d) In preparing the uniform forms for both budgets and annual reports the committee shall give careful consideration to the differing legal requirements and needs of the counties of the several classes producing if necessary separate forms for certain classes of counties or groups of classes

(e) It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this section are prepared in cooperation with said committee Should said committee for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall complete the preparation of the forms After their preparation he shall issue said forms and distribute them annually as needed to the commissioners controller or auditors of each county

(g) Sinking Fund Commission

Section 1790 Membership In each county there shall be a sinking fund commission composed of the commissioners the controller or auditors in counties not having a controller and treasurer

Section 1791 Management of Sinking Funds The sinking fund commission shall annually apply all interest received on sinking fund deposits and all interest received on bonds held in the sinking fund and all other income if any from the sinking fund for the purpose of reducing the amount of money required to be paid by the county for sinking fund purposes for the ensuing year unless such income is necessary for the purpose of having adequate funds on hand to pay the bonds of such county as they mature and become payable The income so applied and the amount required to be paid by the county for sinking fund purposes shall annually equal the full amount required to be paid for sinking fund purposes to the several sinking funds

The commission shall have the power whenever it deems it necessary and for the best interest of the several sinking funds to sell any bonds held by it other than those of the county itself

Section 1792 Bonds of County Held by Commission All bonds of the county held by the sinking fund commission shall be stamped in a conspicuous manner to show that they have been purchased for this purpose They shall never be reissued or sold The sinking fund commission shall not require the county to pay interest on any of its bonds held by the commission unless the commission deems the payment thereof necessary for the purpose of having adequate funds on hand to pay the bonds of said county as they mature and become payable All bonds of the county held by the commission shall be cancelled immediately upon their maturity

Section 1793 Paying Off and Cancelling of County Bonds Priority Sale of County Bonds in Certain Cases In order to facilitate the extinguishment of the county debt the county bonds purchased by the commission from time to time shall be paid off and cancelled according to the priority of their maturity The commission may at its discretion withhold the purchase of such maturing county bonds until after those purchased from a later issue of county bonds shall be paid off and cancelled In such an event if it appears that there will not be sufficient funds in the hands of the commission to meet the payment of such earlier maturing bonds the same shall then be sold by said commission at not less than par

Section 1794 Investment in New County Bonds Whenever any new bonds shall be issued by the county the commission may invest the uninvested balances in its sinking fund except so much as may be required for the payment of any bonds that may mature during the fiscal year in which such new bonds are issued

Section 1795 Deposits of Money Received Interest All moneys received by the commission at any time shall immediately be deposited in one or more banks or banking institutions which are now or hereafter shall be designated as county depositories and the provisions of this article regarding county depositories shall apply with regard to the deposits of the commission in said county depositories The rate of interest to be paid by depositories to the commission shall be the highest rate obtainable calculated on daily balances The commission may reinvest said interest with the other income from the bonds in their possession

Article XVIII

Contracts

Section 1801 Commissioners Sole Contractors for County The county commissioners shall contract for and purchase all services referred to in section 509 and personal property for county officers and agencies All contracts and purchases not in excess of seven hundred fifty dollars ($750) shall be by note or memorandum in writing signed by the county commissioners or their agent A copy of all such notes and memorandums and all written contracts shall be filed in the office of the controller if any and if not then with the chief clerk of the commissioners The commissioners shall where possible anticipate the needs of the various officers and agencies of the county and endeavor to purchase in wholesale quantities where practicable and where savings could be achieved thereby The commissioners may make contracts and purchases for all purposes expressly or impliedly authorized by law

Section 1802 Contract Procedures Terms and Bonds Advertising for Bids (a) All contracts for services and personal property where the amount thereof exceeds the sum of seven hundred fifty dollars ($750) shall be written and shall except as otherwise hereinafter specified be made by advertising for bids

(b) Contracts or purchases in excess of seven hundred fifty dollars ($750) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county at least three times at intervals of not less than three days where daily newspapers of general circulation are employed for such publication or in case weekly newspapers are employed then the notice shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids The requirements of this subsection need not be followed in cases of emergency but in such cases the actual emergency shall be declared and stated by resolution of the commissioners

(c) All bids shall be received by the controller or if there be no controller then by the chief clerk of the county commissioners in sealed envelopes and shall be opened in the presence of the controller or chief clerk as the case may be by the commissioners and the contract awarded thereon The controller or the chief clerk as the case may be shall keep a record of all such bids and awards and the controller shall certify no voucher checks for contracts not made agreeably thereto

(d) The amount or price of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the county pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain

(e) The acceptance of bids by advertising required herein shall only be made by public announcement at the meeting at which bids are opened or at a subsequent meeting the time and place of which shall be publicly announced when bids are so opened If for any reason the award is not made at either of the above meetings the same business may be transacted at any subsequent meeting the time and place of which shall have been announced at the previous meeting held for such award At such third meeting the commissioners shall either award the contract or shall reject all bids All contracts shall be filed with the controller or with the chief clerk as the case may be immediately after their execution

(f) All bids advertised for shall be accompanied by cash or by a certified good faith check drawn upon a bank authorized to do business in this Commonwealth in an amount required by the commissioners but not less than ten per centum of the bid or by a bond with corporate surety in such amount as the commissioners shall determine but not less than ten per centum of the amount bid In the event any bidder shall upon award of the contract to him fail to comply with the requirements hereinafter stated as to a bond guaranteeing the performance of the contract the good faith deposit by cash certified check or bond shall be forfeited to the county as liquidated damages

(g) The successful bidder when advertising is required herein shall be required to furnish a bond guaranteeing performance of the contract with sufficient surety in the amount of fifty per centum of the amount of the contract within thirty days after the contract has been awarded unless the commissioners shall prescribe a shorter period Upon failure to furnish such bond within the time fixed the previous awards shall be void Deliveries performances and guarantees may be required in all cases of expenditures including the exceptions herein

(h) The contracts or purchases made by the commissioners involving an expenditure of over seven hundred and fifty dollars ($750) which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the county where they do not constitute new additions extensions or enlargements of existing facilities and equipment A bond may be required by the commissioners as in other cases for work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by the county through its own employes This shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the commissioners which are patented and manufactured or copyrighted products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof shall not be in excess of that fixed by the Commonwealth or the Federal Government or their respective agencies

(5) Those involving personal or professional services

Section 1803 Evasion of Advertising Requirements No commissioner or commissioners shall evade the provisions of section 1802 of this act as to advertising for bids by purchasing or contracting for services and personal properties piecemeal for the purpose of obtaining prices under seven hundred and fifty dollars ($750) upon transactions which should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred and fifty dollars ($750) This provision is intended to make unlawful the practice of evading advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price Any county commissioners who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for any loss sustained Wherever it shall appear that a commissioner may have voted in violation of this section but the purchase or contract on which he so voted was not approved by the board of county commissioners this section shall be inapplicable

Section 1804 Contracts for One Hundred Dollars ($100) to Seven Hundred and Fifty Dollars ($750) Written Bids Destruction of Files (a) In all cases of contracts and purchases other than the kinds mentioned in subsection (h) of section 2002 of this act from one hundred dollars ($100) to seven hundred and fifty dollars ($750) inclusive at least two written bids shall be solicited therefor The specifications upon which such bids are solicited shall be uniform insofar as possible to afford equal opportunity for bidding Catalogues and circulars of firm prices shall be acceptable as bids upon the contracts or purchases herein regulated All such bids shall be filed with the controller or the chief clerk where there is no controller

(b) The controller shall refuse to approve vouchers for claims made upon transactions entered into in violation of this section unless it shall be manifest to him that such bids could not in the circumstances be obtained or that no lower price would have been obtained by compliance with this section

(c) The file copies of notes and memorandums in writing concerning contracts or purchases not over seven hundred and fifty dollars ($750) including the bids thereon may be destroyed by the controller or the chief clerk as the case may be with the approval of the commissioners by resolution after the said notes and memorandums are six years old and the contracts have been fully performed

Section 1805 Sales of Personal Property (a) No personal property of the county shall be disposed of by sale or otherwise except upon resolution of the commissioners When the commissioners approve a sale of such property they shall estimate the sale value of the entire lot to be disposed of and if the estimate be less than two hundred dollars ($200) they shall require notice of the proposed sale to be posted for at least ten days in a prominent place in the court house describing and itemizing the property to be sold and directing that bids may be made thereon at the office of the chief clerk of the commissioners Thereafter the commissioners may sell such property in whole or in part for the best price or prices obtainable

(b) If the commissioners estimate the sale value of the property to be sold at to hundred dollars ($200) or more the entire lot shall be advertised for sale once in at least one newspaper of general circulation in the county and sale of the property so advertised shall be made to the highest and best bidder. The bids shall not be opened until at least ten days after the said advertisement The commissioners may sell any such property at auction but th provisions as to notice contained in this section shall be likewise observed as to the holding of auction sales The provisions of this section shall not be mandatory where county property is to be traded-in or exchanged for new personal property

Section 1806 County Officers Not to Be Interested in Contracts No elected or appointed county officer shall be in any wise either directly or indirectly personally inter-

ested in any contract to which the county is a party or in the construction of any public work or improvement made or undertaken under the authority of the county commissioners or receive any reward or gratuity from any person so interested No such officer shall purchase directly or indirectly any property sold at a tax or municipal claim sale

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced ti pay a fine not exceeding five hundred dollars ($500) and may by decree of the court be removed from office

Section 1807 Application of Contract Provisions The provisions of this article shall apply to all the contractual powers of the county commissioners contained in this act or other laws insofar as they are not inconsistent therewith and the mention of powers of contract outside this article shall not be construed as being in disregard of the applicable provisions of this article in relation thereto

Article XIX

Special Powers and Duties of Counties

(a) Appropriations for Military Purposes

Section 1901 Appropriation of Money or Land for National Guard Armories (a) The board of commissioners may either independently or in connection with any other county or with any city town borough or township provide and appropriate moneys or convey land to the Commonwealth of Pennsylvania to assist the Armory Board of the State of Pennsylvania in the erection wherever deemed most advantageous by the Armory Board of armories for the use of the National Guard of Pennsylvania The board of commissioners may acquire land for such purpose either by purchase at tax sale by gift by the right of eminent domain or otherwise

(b) The board of commissioners may also furnish water light or fuel either or all free of cost to the Commonwealth of Pennsylvania for use in any armory of the National Guard and may do all things necessary to accomplish such purpose

Section 1902 Appropriation for Maintenance of National Guard (a) The board of commissioners may appropriate annually from any moneys in the county treasury not otherwise appropriated a sum not exceeding seven hundred and fifty dollars ($750) for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars ($1500) for the support and maintenance discipline and training of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization

(b) Any moneys so appropriated shall be paid by voucher check of the commissioners drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the commissioners by the Adjutant General of the State that such unit or units have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by proper vouchers to the said county each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

(c) The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the auditors or the controller as the case may be in the manner provided by law for the audit of accounts of county moneys

Section 1903 Appropriation to Rifle-Clubs in Time of War (a) At any time a state of war exists the board of commissioners may appropriate money to civilian rifle clubs duly chartered by the National Rifle Association of the United States of America for the maintenance and rental of rifle-ranges the employment of competent instructors and necessary employes and for the equipment and uniforms for the members of such clubs who volunteer for special military duty in their respective counties or answer any call of the Governor of the Commonwealth

(b) No moneys shall be appropriated to any such club unless practice on such rifle-range by the members of the club be with the United States military rifle or arms approved by the State Adjutant General

(b) Burial of Deceased Service Persons and Widows

Section 1908 Definitions (a) The term deceased service person as used in this subdivision shall mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Air Force Marine Corps Coast Guard or any women's organization officially connected therewith during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the Department of Defense of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose seperation from such service was honorable whether by discharge or otherwise or who at the time of his or her death by continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War who was not duly mustered into the service of the United States but was honorably discharged relieved from such service

(b) The term "legal residence" as used in this subdivision shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

Section 1909 Funeral Expenses of Deceased Service Persons (a) The county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed six hundred dollars ($600) In the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter

(b) Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor

shall be on the county where the deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have legal residence within this Commonwealth if the county commissioners of the county where he or she died are notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) Where a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75) or so much thereof as was actually expended by the home

Section 1910 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county The County commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed six hundred dollars ($600) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow

Section 1911 Payment (a) It shall be the duty of the county commissioners of each county to cause a voucher check to be drawn upon the treasury of their county in the sum of seventy-five dollars ($75) for each body buried in accordance with the provisions of this subdivision to be paid out of the funds of the county and such checks shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

(b) Application for such contribution shall be made by the personal representative of such deceased service man or deceased service man's widow if there be such personal representative and if so such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body The application shall be sustained by affidavit as to the facts

(c) The application shall be on forms prescribed by the Department of Military Affairs and shall be set forth whether or not the funeral expenses have been paid The application shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service and that the cost of burial did not exceed the sum of six hundred dollars ($600)

Section 1912 Notification to County Commissioners The coroners and all other public officers agents and servants and all officers agents and servants of any county city township borough district or other municipality or of any prison morgue hospital home or other public institution having the control or custody of the body of the deceased service person whose body is entitled to be buried under the provisions of this subdivision shall immediately upon the death or arrival of the body of such deceased service person notify the county commissioners of the county wherein such death occurred or wherein such deceased service person shall have had his legal residence

Section 1913 Markers for Graves Headstones (a) The county commissioners of each county shall from time to time as they consider expedient procure appropriate markers for the graves of deceased service persons Such markers shall be of cast bronze but no board of commissioners shall be required to discard any markers of other materials already purchased whether or not already installed No new markers shall in the future be purchased of metal other than cast bronze Suitable nonmetal substitutes may be used during periods of national emergency so proclaimed by the President of the United States when all available metals are required for war materials

(b) The county commissioners shall procure bronze markers from some manufacturer or manufacturers engaged in the manufacturing of the same and in the contract for the furnishing thereof the manufacturer furnishing the bronze markers shall warrant that the same are made of the following metals and in the following proportions copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum.

(c) The manufacturer shall be liable to the county to an amount equal to the sum paid to him by the county for the markers if the above proportions of metals are not contained in the markers

(d) Nothing except actual fraud on the part of the county commissioners shall render them liable for any amount if it is established that the markers are not composed of the metals in the proportion above cited

(e) No officer trustee association corporation or person in control of any cemetery or a public burying ground shall have the right to question the composition of such bronze markers or to require that any of them be chemically analyzed before being placed in the cemetery or under any circumstances to refuse to permit the erection thereof in the cemetery or pubic burying ground or to charge for making the foundations for the same more than is charged for making similar foundations of the same proportions Any person who violates any of the provisions of this subsection shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than ten dollars ($10) nor more than one hundred dollars ($100) for each offense

(f) The county commissioners of each county are hereby authorized and directed to place a marker upon the grave of each deceased service person who at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county and upon the grave of each deceased service person buried in the county who at the time of his or her death did not have a legal residence within this Commonwealth When such deceased service person shall have been a veteran of any war or campaign for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button

(g) It shall the duty of the county commissioners of each county upon or at any time subsequent to the death of any deceased service person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person

(h) Each headstone shall contain his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenth of an inch deep The headstone shall be of either marble or granite and shall be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide the concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering

(1) in the event the body of any deceased service person either cannot or will not be returned to the United States of America it shall be the duty of the county commissioners to cause a headstone to be placed in the family

plot of such deceased service person Said headstone shall have inscribed therein (1) the name rank and organization of such deceased service person (2) the name of the country location or manner in which such person lost his or her life and (3) the cemetery or location in which the body if buried was finaly laid to rest Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend if there is no objection by the nearest relative Each application must be approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged

(j) The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county The expense shall not exceed the sum of seventy-five dollars ($75) for each headstone or concrete base or lettering or bronze memorial tablet and the county commisioners of each county acting under this section shall cause to be drawn a voucher check on the treasury of the county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet

(k) In cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties hereinbefore set forth No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

(1) Any person who shall wilfully maliciously or carelessly destroy mutilate remove or deface any grave marker or headstone placed or erected under the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars ($500) or suffer imprisonment not to exceed two years or both

Section 1914 Burial Plots The county commissioners of the several counties are hereby authorized to purchase plots of ground in any cemetery or burial ground in their respective counties for the interment of deceased service persons whose bodies are entitled to be buried under the provisions of this subdivision and to cause to be drawn a voucher check upon their county treasury for the payment of the same The purchase price of said plots of ground shall not be charged against or allotted as part of the cost of burial of such deceased service persons who may be buried in any of said plots under the provisions of this subdivision

Section 1915 Care of Graves and Markers The county commissioners of each county shall at all times see that the graves and tombstones of all deceased service persons who are buried in such county receive proper and fitting care and may employ all necessary assistance to carry out the provisions of this section The expense of the care of such graves and tombstones shall be borne by the county where said graves are located except where suitable care is otherwise provided Money so appropriated may be expended directly by the county commissioners or paid over to the person firm association or corporation owning or controlling any cemetery or burial place in the county where any such grave is situated The sum so paid over in any year shall not exceed for each grave the charge for the annual care and maintenance of like graves in the same cemetery or if no such fixed charge is established in that cemetery it shall not exceed the sum charged in other cemeteries in the same county for like service

Section 1916 Proof of Service Et Cetera (a) In each case where application is made for a contribution towards the funeral expenses of a deceased service person or the widow of a deceased service person or for a headstone or concrete base or lettering or bronze memorial tablet the county commissioners shall before expending any money therefor require proof of the following facts

(1) The service of the deceased service person which entitles him or his widow to the benefits of this subdivision Such proof shall be by the production of an honorable discharge or other official record showing service during any war in which the United States is or was engaged or by the records of the Department of Defense of the Federal Government or by copies thereof filed in the Department of Military Affairs showing the existence of a campaign or state or condition of war the participation of the United States therein and the service of the deceased service person in a zone where such campaign or state or condition of war existed

(2) The death of the deceased service person

(3) In the case of the burial of the widow of a deceased service person the death of such widow and the fact that she was married to the deceased service person at the time of his death and that she has not since remarried The proof required by clauses one and two of this subsection shall also be required in such cases

(4) Except in cases where persons not having a legal residence within this Commonwealth are entitled to any of the benefits of this subdivision the legal residence within the county of the deceased service person or of the widow of a deceased service person as the case may be

(b) Death shall in all cases be proved by death certificate where the same is procurable otherwise by affidavit of one or more persons personally acquainted with the deceased and the fact of his or her death or by proof of the record of death kept by the attending physician or by proof of the record of burial kept by the undertaker by whom he or she was buried or by the church burial association or cemetery company maintaining the graveyard burial ground or cemetery in which he or she was buried

(c) Where any proof required by this subdivision has been furnished to the county commissioners no further proof of the same facts shall be required in order to obtain any other benefit under the provisions of this subdivision

(c) Memorial Observances

Section 1921 Appropriations to Veterans' Organizations for Expenses of Memorial Day (a) The board of commissioners may appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American War Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Ground Army of the Republic and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four (P. L. 73) and the supplements thereto in the county a sum not to exceed three hundred dollars ($300) to aid in defraying the expenses of Memorial Day and Armistice Day

(b) Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of graves of Union veterans of the Civil War

(c) Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 1922 Flags to Decorate Graves (a) It shall be the duty of the county commissioners to provide flags on each Memorial Day with which to decorate the graves of all deceased service persons buried within the county the flags to be used for such purposes shall be of one standard size and shall be purchased at the expense of the county from moneys in the county treasury

(b) Such flags shall be furnished to the various veterans' organizations in such numbers as they shall require for their respective communities

(c) The moneys expended by any county under the provisions of this section shall be in addition to moneys appropriated by counties for Memorial Day purposes

(d) The authorities in charge of any cemetery are

authorized to remove such flags when the same become unsightly or weatherworn at any time not less than ninety days after the flags have been placed on graves

Section 1923 Compilation of War Records Director of Veterans' record so far as practicable shall indicate the name of each such person Affairs (a) The county commissioners of each county are hereby authorized and directed at the expense of the county to compile a record of the burial places within such county of deceased service person Such the service in which he or she was engaged the number of the regiment or company or command the rank and period of service the name and location of the cemetery or other place in which his or her body is interred the location of the grove in such cemetery or other place and the character of headstone or other marker if any at such grave Such record shall be known as the Veterans' Grave Registration Record of ....County and shall be a public record open to inspection during business hours

(b) The county commissioners of each county shall cause record blanks to be prepared according to forms prescribed by the Department of Military Affairs whereby the information required for such record may be transmitted to them

(c) Every person firm association or corporation including a municipal corporation owning or controlling any cemetery or burial place within the Commonwealth in which are interred the bodies of deceased service persons shall file with the county commissioners of the county in which such cemetery is located a certificate on the record blanks provided by said county commissioners of the facts required for such record as far as the same are within the knowledge of such person firm association corporation or the agents thereof

(d) The county commissioners shall cause record blanks to be distributed to such persons firms associations and corporations as they deem advisable with the request that such information be transmitted to them Any such person firm association or corporation except municipal corporations upon receipt of such blanks or forms who shall refuse or neglect to fill out and transmit to the county commissioners such blanks or forms within six months after receipt of same upon conviction thereof in a summary proceeding shall be sentenced to pay a fine of one hundred dollars ($100)

(e) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this Commonwealth are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section

(f) For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a director of veterans affairs who shall receive such compensation as the salary board may fix

(g) It shall also be the duty of the director of veterans affairs to

(1) Assist the county commissioners in administering the provisions of this subdivision which relate to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(2) Assist war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the director of veterans affairs shall be entitled to his expenses incurred therein and additional compensation Both expenses and compensation shall be subject to the approval of the salary board

(3) Assist the county commissioners in transmitting records of burial places of deceased service persons to the Department of Military Affairs of the Commonwealth for the use of the Deputy Adjutant General in charge of Veteran Affairs and otherwise assist the commissioners in cooperating with the said deputy

(d) County Histories

Section 1928 County History The county commissioners of any county either independently or in connection with any other municipality or municipalities within their county or any society or organization may appropriate money for the compilation of a county war history or any general history or historical account related to the history records and government of the county and for the publication and distribution of the same

Section 1929 Payment to Historical Societies The board of commissioners may pay out of the county funds not otherwise appropriated a sum of money not exceeding two thousand dollars ($2000) annually to the county historical society to assist in paying the running expenses thereof If there is more than one such society in the county such payment may be made only to the oldest society Where any such society is comprised of residents of more than one county the commissioners of said respective counties may jointly pay said sum in such proportion as they shall agree

No such appropriation shall be renewed until vouchers have been filed with the commissioners showing that the appropriation for any prior year has been expended for the purpose herein designated

Section 1930 Qualification of Society In order to entitle any historical society to the said appropriation the following conditions shall have been first complied with It shall have been organized at least two years incorporated by the proper authority and have an active membership of one hundred or more persons each of whom shall have paid into the treasury of said society a membership fee of at least two dollars ($2) for the support of the same It shall hold at least two public meetings yearly whereat papers shall be read or discussions held on historic subjects It shall have established a museum wherein shall be deposited curios and other objects of interest and books documents and papers relating to the history of the county or Commonwealth It shall have adopted a constitution and code of by-laws and elected proper officers to conduct its business

(e) Animal and Plant Husbandry

Section 1935 Appropriations to Societies for Prevention of Cruelty to Animals The board of commissioners may appropriate moneys toward the maintenance of any organization or society incorporated under the laws of this Commonwealth for the prevention of cruelty to animals and which for a period of at least two years prior to the making of such appropriation shall have been engaged in carrying out the purposes of its incorporation in whole or in part within said county

Section 1936 Agricultural Extension Work The board of commissioners may appropriate a sum not to exceed twelve thousand dollars ($12,000) annually for agricultural extension work in cooperation with the Pennsylvania State College in encouraging improved methods of farm management and home economics and giving practical instruction and demonstrations in agriculture for the purpose of improving and developing the agricultural resources of the county The money so appropriated shall be expended according to rules and regulations prescribed or approved by the board of commissioners The board of commissioners may also where practicable and desirable provide offices in the county court house for headquarters for such cooperative work

Section 1937 Agricultural or Horticultural Societies The county commissioners are hereby authorized to make appropriations annually out of the current revenues of the county to any incorporated agricultural or horticultural society or association located within the county The total amount of any such appropriation in any one county shall

not exceed fifteen hundred dollars ($1500) in any one year Where more than one such society or association is located in the county the amount appropriated may be distributed and divided among said societies and associations in such proportions and such amount as the board of commissioners in its discretion may determine

Section 1938 Suppression of Animal and Plant Diseases The board of commissioners is hereby authorized to make appropriations from county funds for the purpose of controlling and suppressing dangerous infectious disease of livestock and poultry and dangerous plant diseases and insect pests and diseases to honeybees in cooperation with the Department of Agriculture of Pennsylvania

For the purpose of carrying out the provisions of this section the board of county commissioners may enter into agreements with the Pennsylvania Department of Agriculture concerning terms regulations and practices for conducting the work

(f) Communications

Section 1943 Appropriations for Radio Broadcasting Station The board of commissioners of any county may appropriate annually a sum not in excess of five hundred dollars ($500) for the purpose of assisting any naval reserve unit or amateur radio league in maintaining equipping and operating a short wave radio broadcasting station which shall be available at all times for public use in the event of emergency or disaster

(g) Prevention and Control of Floods

Section 1947 Prevention and Control of Floods (a) The board of commissioners may borrow appropriate and expend money for the purpose of cleansing regulating improving and controlling rivers streams and other bodies of water lying within the boundaries of the county either in whole or in part for the prevention and control of floods They may make contracts and expenditures for the cleansing regulation improvement and control of such waters and for the prevention and control of floods by storage or retaining reservoirs or otherwise in parts of such waters beyond the limits of the county or of the Commonwealth when in their judgment such expenditures may be necessary and for the benefit of the county

(b) The commissioners may also make appropriations and expenditures for the purpose of investigating and examing or for assisting in the investigation and examination of the condition of such waters within or without the bounds of the county or of the Commonwealth for the purpose of facilitating the ends aforesaid

(c) The commissioners may enter into such arrangements and agreements with the Secretary of Defense or other public authorities empowered to act in the premises under any law of the United States or of this or any other States as may be necessary and proper for such purposes with a view to harmonious and efficient action and proportionate contribution as nearly as may be arrived at or be practicable

(d) In exercising the powers herein conferred the county commissioners may in their discretion subject to the limitation of the Constitution issue interest bearing bonds of the county in accordance with the provisions of the Municipal Borrowing Law

(h) Aid to Fire Fighting Departments and Companies

Section 1951 Counties of Seventh and Eighth Classes Appropriations to Borough Fire Departments and Volunteer Fire Companies The board of county commissioners of any county of the seventh or eighth class may appropriate annually except as hereinafter provided a sum not in excess of six hundred dollars ($600) to the fire department of any borough in the county or to any volunteer fire company located within a borough in said county which actually gives fire protection to approximately all parts of the county or may appropriate up to one-half of such amount to each of two such departments or two such companies or one such department and one such company when each gives fire protection to approximately one-half of the entire county All moneys appropriated to any such fire department or fire company shall be used for the purchase maintenance and repair of fire fighting equipment This section shall not authorize the appropriation of any money to any fire department or fire company which receives contributions or appropriations from any township in the county

Section 1952 Counties of the Fourth Class Establishment of Fire Training Schools The county commissioners of any county of the fourth class may establish equip and maintain fire training schools or centers for the purpose of giving instruction and practical training in the prevention control and fighting of fire to the members of paid fire departments and volunteer fire companies in any city borough town or township within such county

(i) Utilities

Section 1955 Drilling Gas Wells and Laying Gas Lines (a) The board of commissioners of counties situated in regions wherein natural gas is known to be obtainable may contract for the drilling of gas wells upon any lands owned by the county for the purpose of furnishing gas for light and fuel to the county buildings and for other purposes For that purpise they may also contract for the laying of gas lines equipped with such modern appliances and machinery as may be necessary

(b) All such contracts including contracts for the building of rigs or derricks and the purchase of machinery shall be made by the county commissioners in the manner provided for in article twenty of this act

Section 1956 Contracts for Relocation Change or Elevation of Railroads Subject to the provisions of the Public Utility Law the board of commissioners may enter into contracts with any railroad companies whereby the said railroad companies may re-locate change or elevate their railroads within the county in such manner as in the judgment of of the board may best adapted to secure the safety of lives and property and promote the interest of the county For such purpose the board shall have power to do all acts that may be necessary and proper to effectually carry out such contracts

(j) Law Libraries

Section 1962 Law Library Committe (a) In each county where a law library shall have been established for the use of the court connty officials and members of the bar of said county and is supported and maintained at least in part by public funds the bar association of the county or if there is no bar association then the president judge of the court of common pleas shall annually appoint a law library committee to consist of not more than ten members of the bar of the county The committee shall have the management of the law library and the moneys to be used for law library purposes shall be appropriated or paid to said committee and expended for the support and maintenance of the library under the direction of said committe The president of the bar association or where there is no bar association then the president judge of the court of common pleas shall have power to fill any vacancies that may occur in the committee

(b) The law library committee shall have power to adopt such rules and regulations for the management of said library as may be expedient and necessary for the proper care and preservation of the same and shall at the end of every year report to the president judge of the court of common pleas the condition of said library and account for all expenditures of money made by them in relation thereto which if approved shall be filed of record in the office of the prothonotary of the county

(c) The treasurer of the law library committee shall furnish bond in a proper amount and with proper security to be fixed by the president judge The cost of the bond shall be paid out of the funds of the committee

(d) For the purpose of this subdivision (j) any law library which is furnished a room or rooms light heat and other services by the county but dose not accept any money appropriations from the county shall not be considered as being maintained or supported in part by public or county funds and such library may continue to be operated and the library committee and librarian appointed as heretofore

Section 1963 Appropriations The board of commissioners

shall annually appropriate to the law library committee such sum or sums as may be directed by the president judge of the court of common pleas of the county for the purchase support and maintenance of a law library to be kept in or near the court house of the county for the use of the court county officials and members of the bar of said county

Section 1964 Fines and Forfeitures Applied to Law Libraries (a) All of the fines and forfeitures to which counties of the third and fourth classes are by existing or future laws entitled are hereby directed to be paid at the discretion of the court imposing such fines and forfeitures in such proportion as said court may direct to the library committee for the support and maintenance of the law library

The moneys to be used for law library purposes shall be expended for the support and maintenance of a law library under the direction of the committee

.(b) If in any county of the fifth sixth seventh and eighth class of this Commonwealth where by laws fines penalties and oneys collected from forfeited recognizances are directed to be paid for the use of a law library the said fines penalties and moneys collected from forfeited recognizances are in the opinion of the court of common pleas in excess of the amount required by the said committee for law library purposes the court may by its order direct all or any portion of such fines penalties or money from forfeited recognizances to be paid into the county treasury for the use of the county

Section 1965 President Judge May Appoint Librarians The president judge of the court of common pleas of any county in which there is a law library supported in whole or in part by public funds may if he deems it necessary appoint a librarian The librarian shall be paid such compensation as the president judge shall allow out of the funds of the library committee

(k) Rewards and Bounties

Section 1971 Rewards for Detection or Apprehension of Criminals The board of commissioners when they deem the same expedient may offer such reward in addition to that authorized by law as in their judgment the nature of the case requires for the detection or apprehension of any person charged with or perpetrating any felony or misdemeanor or aiding or abetting the same Upon the conviction of such persons the county commissioners may pay such reward out of the county treasury but in no case shall the owner of any stolen property be entitled to any of the reward for the detection or apprehension of the person guilty of the larceny In cases of misdemeanor the county commissioners must have the approval of the president judge of the court of common pleas of the county before offering or paying such reward

Section 1972 Bounties for Destruction of Rattlesnakes Copperhead Snakes and Porcupines The board of commissioners of any county of the sixth seventh or eighth class may provide for the payment of rewards or bounties for the killing within the county of rattlesnakes and copperhead snakes not more than one dollar ($1) for each and for the killing of porcupines not more than fifty cents (50c) each They may make appropriations for such purposes

(l) Garbage and Refuse Disposal

Section 1975 Garbage and Refuse Disposal in County Plants The count commissioners of any county shall have the power to operate garbage and refuse disposal plants or facilities and incinerating furnaces and to enter into agreements or contracts with any person corporation or political subdivision for the disposal of garbage and refuse in such facilities erected and maintained by the county as provided in article XXIII of this act and to charge and receive fees for such service

(m) County or County Aided Institutions

Section 1980 Board of Visitors for Charitable Reform and Penal Institutions (a) The court of common pleas in each county shall annually appoint three reputable citizens of the county on or before the first Tuesday of January to serve as a board of visitors for that year Two of the members of said board shall be of the majority party in the county and one shall be of the minority party all of which shall be determined from the registration lists of the county Vacancies upon the board shall be filled by the said court in like manner The members of the board shall serve without compensation but shall be paid such sum or sums for actual and necessary expenses as may be approved by the board of commissioners of the county

(b) The board of visitors of each county shall visit at least three times a year all county hospitals detention homes children's homes jails and like institutions of the county or any agency of the county or of the institution district of the county and all similar institutions and other charitable institutions to which the county appropriates money Such visits shall be unannounced and shall be made either by all of the members of the board or by a lesser number acting for the board The board shall inspect the premises involved and shall be entitled to full access thereto and to interview any of the inmates thereof and shall inspect and ascertain all matters pertaining to the welfare and proper conduct of such institutions and particularly the treatment received by the inmates The board shall make an annual report to the court of common pleas upon a date fixed by the court regarding all such things and such other matters as may be referred to them by the court regarding such institutions and the board may also report to the said court from time to time as the board shall see fit A copy of such reports shall be submitted by the board to the proper authorities for such institutions

Article XX

Planning Zoning and Traffic

(a) County and Regional Planning Commissions

Section 2001 Creation and Powers of County Planning Commissions (a) In each county the county commissioners may create a county planning commission

(b) The county planning commission in every county in which a planning commission is created shall consist of nine members to be appointed by the county commissioners

(c) All appointees shall be residents of the county and shall be appointed with due consideration to geographical and population factors All appointees shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture real estate building engineering social welfare health civic administration and law At least seven of such appointees on each commission shall not be paid county employes

(d) Three members of a commission shall be designated to serve until the first day of January of the second year following the year in which the commission is first created three of them until the first day of January of the fourth year following the year in which the commission is first created and three of them until the first day of January of the sixth year following the year in which the commission is first created The successors to all members of commissions holding office at the time this act becomes effective and to all members hereafter holding such office shall be appointed at the expiration of their respective terms to serve six years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term

(e) Three members shall constitute a quorum They shall make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the law of the Commonwealth

(f) All members shall serve without compensation and shall make an annual report to the county commissioners showing their transactions and recommendations They may employ engineers and other persons whose salaries and wages together with other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriations and resolutions

(g) The county planning commission may be given the additional power and duty of serving as the county zoning commission with all the powers and duties that have been or may be conferred upon such county zoning commission by law

Section 2002 Submission of Resolutions for Certain Improvements Reports All resolutions of the county commissioners relating to the location of any public buildings in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission if one has been created twenty days before their passage and adoption by the county commissioners

The planning commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commis sioners If the report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commisssioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 2003 Appearance in Proceedings The County Planning Commission may appear in any proceeding with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road as to which the commission has an interest under the provisions of this article and file a report stating its view with reference thereto and may produce testimony in connection therewith

Section 2004 Plans of Subdivisions Jurisdiction Scope of Subdivisions Regulations Procedure Penalties (a) The County Planning Commission shall have jurisdiction and control of the Subdivision of land located within the county limits For the purpose of this section a subdivision shall be construed to be a division of any part parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels three or more in number for the purpose of conveyance transfer improvement or sale with appurtenant roads streets lanes alleys and ways dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon All plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within a city borough or township having in existence a zoning or real estate development control ordinance within the said county shall be submitted to the County Planning Commission if one has been created and approved by it before they shall be recorded

(b) It shall not be lawful to receive or record any such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission if one has been created The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated streets highways alleys or other portions of the same until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement

(c) Immediately upon the approval of all such plans plots and replots the person submitting them shall present the same certified by the County Planning Commission as approved by it to the recorder of deeds of the county and the recorder of deeds shall file the orginal thereof so certified in the office for the recording of deeds in a book provided by the county commissioners for that purpose and shall keep the same accessible to the public

(d) The recorder of deeds shall index the said book of plans as nearly as possible in the same manner as he indexes instruments pertaining to the title of land For such services he shall collect from the person so presenting the said plans plots or replots the sum of five dollars ($5) for the first page and two and one half dollars ($2.50) for each additional page of any subdivision The County Planning Commission shall establish and require a uniform size of such plans plots or replots for filing and shall also establish and require the scale of such plans plots or replots

(e) The owners and purchasers of land or lots affected by such plans plots and replots shall be conclusively presumed to have notice of such plans plots and replots thereof or affecting them from the time of their filing in the office of the recorder of deeds Purchasers of land or lots affcted by such plans plots or replots shall also be conclusively presumed to have notice of all prior reports of the County Planning Commission affecting such plans plots or replots and the land or lots involved or affected thereby from the time said plans plots or replots are filed as herein required if the County Planning Commission shall have clearly and plainly indicated on the plan plot or replot certified as approved by it for filing in the office of the recorder of deeds each of the said reports the date of it and where said reports might be examined

(f) Any owner or agent of the owner of any land located within a subdivision who sells transfers or agrees to sell any land by reference to or exhibition of or by other use of a plan of a subdivision before the same has been approved by the County Planning Commission shall upon summary conviction thereof be sentenced to pay a fine of not less than fifty dollars ($50) or more than one hundred dollars ($100) and the cost of prosecution or undergo an imprisonment for a term of not more than thirty days for each lot or parcel transferred or sold or agreed to be sold The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided Counties may also enjoin such transfer or sale or agreement by action for injunction brought in any county of equity jurisdiction in addition to the penalty herein provided

Section 2005 Maps of County The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements hereinbefore specified and other natural or artificial features and also location proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable

Section 2006 Recommendations to County Commissioners and Others It may make recommendations to the county commissioners from time to time concerning any such matters and things aforsaid and in so doing have regard for present conditions and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them

Section 2007 Cooperation Between Commission and Political Subdivisions The county planning commission shall encourage the cooperation of the political subdivi-

sions within the county in any matters whatsoever which may concern the integrity of the county plan or maps prepared by the commission as an aid toward coordination of municipal plans with the county plans and it shall be the duty of every city borough town and township within a county having a County Planning Commission having prepared any maps or plans by a duly authorized planning commission to file a copy thereof and any subsequent amendments thereto with the County Planning Commission within thirty days from the completion of such plan or map

Section 2008 Local Authorities to Submit Plans to County Planning Commission Before the approval of a plat by any city borough town or township authority having the power of approval of plats such authority shall transmit a copy of the proposed plat to the County Planning Commission if one has been created and the commission shall make a report thereon to such local authority Pending the receipt and consideration of such local authority shall defer action thereon but if such report is not received by the local authority within twenty days from the submission of the plat to the county planning commission or within such further time as may be agreed upon by the local authorities such local authority may proceed to final action thereon

Section 2009 Creation of Regional Planning Commission (a) The councils or corresponding legislative bodies of any group of political subdivisions independently or together with the county commissioners of any county or counties in which such group of political subdivisions is located or of any adjoining county or counties or the council or corresponding legislative body of any political subdivision together with the county commissioners in which such political subdivision is located or the county commissioners of any two or more adjoining counties may cooperate in the creation of a regional planning commission for any region defined as may be agreed upon by said cooperating councils authorities and county commissioners or by said cooperating county commissioners

(b) The number and qualifications of the members of any such regional planning commission and their terms and method of appointment or removal shall be such as may be determined and agreed upon by said cooperating authorities and county commissioners A majority of the members of the regional planning commission shall hold no other public office or position excepting appointive membership on a municipal or other planning commission Members of the regional planning commission shall serve without salary but may be paid expenses incurred in the performance of duties

(c) The proportion of the expenses of the regional planning commission to be borne respectively by the political subdivisions and counties or by the counties cooperating in the establishment and maintenance of the commission shall be such as may be determined and agreed upon by the cooperating authorities and county commissioners and said authorities and county commissioners are hereby authorized to appropriate their respective shares of such expenses Within the amounts thus agreed upon and duly appropriated any such regional planning commission shall have the power to appoint such employes and staff as it may deem necessary for its work and contract with planners and other consultants for such services as it may require

(d) The regional planning commission shall elect its chairman who shall hold no other public office or position except that he may be a member of a municipal or other planning commission The term of the chairman shall be one year with eligibility for reelection The commission may create and fill such other offices as it may determine It shall adopt rules for the transaction of business and shall keep a record of its resolutions transactions findings and determinations which record shall be a public record

(e) The county commissioners or other county official or the chief executive officer or body of any political subdivision may from time to time upon the request of the commission and for the purpose of special surveys assign or detail to the commission any officers or employes of the county or political subdivision to make for the commission special surveys or studies requested by the commission

Section 2010 Regional Planning Commission to Make Master Plan It shall be the function and duty of the regional planning commission to make a master plan and such surveys and studies as may be essential thereto for the physical development of the region as created in accordance with the provisions of the preceding section Such master plan shall include all the elements of physical development that may be locally important and desirable

Section 2011 Delegated Powers of Regional Planning Commission The council or corresponding legislative bodies of any political subdivision and the county commissioners of any county so cooperating may delegate to the regional planning commission by ordinance or resolution any or all of the powers and duties of the planning commission of such political subdivision with respect to the territory of the political subdivision so enacting or resolving and in case of a county any and all of the powers and duties of a county planning commission for the territory of the county so resolving

(b) County Zoning

Section 2020 Grant of Power The board of county commissioners of any county is hereby empowered in accordance with the conditions and procedure specified in the subsequent sections of this subdivision by ordinance to regulate in any portion of such county which does not lie within a city borough or township having a zoning ordinance in effect the location height bulk and size of buildings and other structures the percentage of lot which may be occupied the size of yards courts and other open spaces the density and distribution of population the uses of buildings and structures for trade industry residence recreation public activities or other purposes and the uses of land for trade industry residence recreation agriculture water supply conservation soil conservation forestry or other purposes

Section 2021 Zoning Commission (a) In order to avail itself of the powers conferred by this subdivision the board of county commissioners shall appoint a permanent commission of three five or seven members which shall be known as the county zoning commission

Any individual whether in private or ex-officio capacity may be appointed to serve on such commission and the majority of the members thereof shall be individuals who do not hold elective public office The boards of county commissioners of two or more counties may arrange or provide for a joint or common commission and for the purposes of this subdivision any such joint or common zoning commission shall be deemed the zoning commission of each of such counties The board of county commissioners shall provide for reimbursement of the members of the zoning commission for actual expenses incurred and shall provide for the filling of vacancies in the membership of such commission and for the removal of a member for non-performance of duty or misconduct

(b) In any county where a county planning commission has been or shall be established the board of county commissioners may in lieu of establishing a zoning commission as provided in this section confer and impose on such planning commission the additional power and duty of serving as the county zoning commission with all the powers and duties conferred by the subdivision upon the county zoning commission

Section 2022 Assistance from State Agencies Personnel The zoning commission is directed to make use of the expert advice and information which may be furnished by appropriate State and Federal officials departments and agencies particularly the Pennsylvania State Planning Board All State officials departments and agencies having information maps and data pertinent to county zoning are hereby authorized and directed to make the same available for the use of the county zoning commission as well as to furnish such other technical assistance and advice as they may have available for such purpose The zoning commission may employ such trained personnel as the funds provided therefor may permit

Section 2023 Preparation of Zoning Plan (a) It shall be the duty of the zoning commission of any county to make for certification to the board of county commissioners of the county a zoning plan or plans including both the full text of the zoning ordinance or ordinances and maps and representing the recommendations of the commission for the regulation by districts or zones of the location height bulk and size of buildings and other structures percentage of lot which may be occupied the size of lots courts and other open spaces the density and distribution of population the location and use of buildings and structures for trade industry residence recreation public activities or other purposes and the use of land for trade industry recreation agriculture forestry soil conservation water supply conservation or other purposes

(b) When the efforts of such commission shall have reached the stage of a tenative plan the commission shall hold at least one public hearing on each tentative plan to be separately submitted notice of which hearings shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation in the county The notice shall contain the time and place of hearing and shall specify the place and times at which the tentative text and maps of the zoning ordinance may be examined For the purpose of its public hearing or hearings the commission shall have power to summon witnesses administer oaths and compel the giving of testimony

(c) Before finally adopting and certifying any zoning plan the zoning commission shall submit its tentative plan to the State Planning Board for advice and recommendations The approval of the State Planning Board shall be presumed unless the State Planning Board shall within forty-five days after such submission present its advices and criticisms in respect to such zoning plan

(d) In the event that after such public hearing or hearings and after such submission to the State Planning Board the zoning commission in the light of the developments at such hearing or hearings or the advices and recommendations of the State Planning Board makes changes in its said tentative plan there shall be no requirement of any hearing upon such changes or any submission of such changes to the State Planning Board

Section 2024 Zoning Ordinance From and after the time when a zoning commission of any county in accordance with the procedure herein specifiied makes adopts and certifies to the board of county commissioners of its county each zoning plan including both the full text of a zoning ordinance and the maps then the board of county commissioners may by ordinance exercise the powers hereinbefore granted to it in this subdivision and for the purpose of such exercise the board of county commissioners may divide the territory of the county which lies outside of municipalities which now have and enforce zoning ordinances into districts or zones of such number shape or area as it may determine Within such districts or any of them they may regulate the erection construction reconstrucation alteration and uses of buildings and structures and the uses of land and may require and provide for the issuance of building permits as a condition precedent to the right to erect construct reconstruct or alter any building or structure within any district covered by such zoning ordinance All such regulations shall be uniform for each class or kind of building throughout any district but the regulations in one district may differ from those in other districts

Section 2025 Method of Procedure After receiving the certification of a zone plan from the zoning commission and before the enactment of any zoning ordinance the board of county commissioners shall hold a public hearing thereon of the time and place of which at least thirty days' notice shall be given by one publication in a newspaper of general circulation in the county Such notice shall state the place at which the text and maps as certified by the zoning commission may be examined The board may conduct consultative hearings or referenda to aid in determining the desirability of contemplated or recommended regulations No change in or departure from the text or maps as certified by the zoning commission shall be made unless such change or departure shall first be submitted to the zoning commission for its approval or disapproval or suggestions The zoning commission shall have thirty days from and after such submission within which to send its report to the board of county commissioners No approval disapproval or suggestions of the zoning commission shall have more than advisory effect or shall in anywise bind the board of county commissioners

Section 2026 Purposes of Zoning Regulations Such regulations shall be designated and enacted for the purpose of promoting the health safety morals convenience order prosperity or welfare of the present and future inhabitants of the Commonwealth of Pennsylvania including amongst other things the lessening of congestion in the streets or roads or reducing the waste of excessive amounts of roads securing safety from fire and other dangers providing adequate light and air preventing on the one hand excessive concentration of population and on the other hand excessive and wasteful scattering of population or settlement promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and conserve adequate provisions for transportation water flowage water supply drainage sanitation educational opportunities recreation soil fertility food supply protection of the tax base securing economy in governmental expenditures fostering the Commonwealth's agricultural and other industries and the protection of both urban and non-urban development

Section 2027 Amednments (a) The board of county commissioners may from time to time amend the number shape boundary or area of any district or districts or any regulation of or within such district or districts or any other provision of any zoning ordinance but no such amendment shall be made or become effective until the same shall have been proposed by or be first submitted for approval disapproval or suggestions to the zoning commission and the Pennsylvania State Planning Board

(b) Any personal approva disapproval or suggestions of the zoning commission or the State Planning Board shall have advisory effect only and not be binding upon the board of county commissioners and unless such zoning commission or State Planning Board shall have transmitted its report upon the proposed amendment within thirty days after the submission thereof to it the board of county commissioners shall be free to proceed to the adoption of the amendment without further awaiting the receipt of the report of the zoning commission or State Planning Board Before finally adopting any such amendment the board of county commissioners shall hold a public hearing thereon at least thirty days' notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county

Section 2028 Cooperation Between Counties The zoning commission of any county may cooperate with the zoning commissions of other counties and with the planning zoning legislative and administrative authorities of cities boroughs towns or townships either within or without such county with a view to coordinating and integrating the zoning of the county with the planning and zoning of other counties or of municipalities The zoning commission shall also have power to appoint such committee or committees and adopt such rules for the conduct of its business as it may deem proper to effect such cooperation or to more expeditiously and effectively perform its functions

Section 2029 The Board of Adjustment (a) The board of county commissioners of any county which enacts zoning regulations under the authority of this subdivision shall provide for a board of adjustment of three to five members and for the manner of the appointment of such members Not more than half of the members of such board may at any time be members of the zoning commission The board of county commissioners shall fix per diem compensation and terms for the members of such board of adjustment which terms shall be of such length and so arranged that the term of at least one member will expire each year Any member of the board of adjustment may be removed

for cause by the board of county commissioners upon written charges and after a public hearing Vacancies shall be filled for the unexpired term in the same manner as in the case of original appointments

(b) The board of county commissioners may appoint associate members of such board and in the event that any regular member be temporarily unable to act owing to absence from the county illness interest in a case before the board or any other cause his place may be taken during such temporary disability by an associate member designated for the purpose The boards of county commissioners of two or more counties may arrange and provide for a joint or common board of adjustment of four or five members which joint or common board of adjustment shall be deemed the board of adustment of each of such counties

(c) The board of county commissioners shall provide and specify in its zoning or other ordinances general rules to govern the organization procedure and jurisdiction of said board of adjustment which rules shall not be inconsistent with the provisions of this subdivision and the board of adjustment may adopt supplemental rules of procedure not inconsistent with this subdivision or such general rules

(d) Any zoning ordinance of the board of county commissioners may provide that the board of adjustment may in appropriate cases and subject to appropriate principles standards rules conditions and safeguards set forth in the zoning ordinance make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent The commissioners may also authorize the board of adjustment to interpret the zoning maps and pass upon disputed questions of lot lines or similar questions as they may arise in the administration of the zoning regulations

(e) Meetings of the board of adjustment shall be held at the call of the chairman and at such other times as the board in its rules or procedure may specify The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board of adjustment shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record

Section 2030 Appeals to the Board of Adjustment (a) Appeals to the board of adustment may be taken by any person aggrieved by his inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of the zoning ordinance Appeals to the board of adustment may be taken by any officer department board or bureau of the county affected by the grant or refusal of a building permit or by other decision of an administration officer or agency based on or made in the course of the administration or enforcement of the provisions of the zoning ordinance The time within which such appeal must be made and the form or other procedure relating thereto shall be as specified in the general rules provided by the board of county commisisoners to govern the procedure of such board of adjustment or in the supplemental rules of procedure adopted by such board

(b) Upon appeals the board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged by the appellant that thereis error in any order requirement decision or refusal made by an administrative official or agency based on or made in the enforcement of the zoning ordinance

(2) To hear and decide in accordance with the provisions of any such ordinance requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such ordinance to pass

(2) Where by reason of exceptional narrowness shallowness or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property the strict application of any regulation enacted under this subdivision would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property to authorize upon an appeal relating to said property a variance from such strict application so as to relieve such difficulties or hardships provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance

(c) The concurring vote of four members of the board in the case of a five-member board and of three members in the case of a three-member board shall be necessary to reverse any order requirement decision or determination of any such administrative official or agency or to decide in favor of the appellant

Section 2031 Court Review (a) Any persons jointly or severally aggrieved by any decision of the board or adjustment or any taxpayer or any officer department board or bureau of the county may present to the court of common pleas of the county in which the property concerning which such decision was made is located a petition duly verified setting forth that such decision is illegal in whole or in part specifying the grounds of the illegality Such a petition shall be presented to the court within thirty days after the filing of the decision in the office of the board Upon the presentation of such petition the court may allow a writ of certiorari directed to the board of adjustment to review such decision of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney which shall not be less than ten days and may be extended by the court The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may on application on notice to the board and on due cause shown grant a restraining order

(b) The board of adjustment shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified

(c) If upon the hearing it shall appear to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may reverse or affirm wholly or partly or may modify the decision brought up for review

(d) Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

(e) All issues in any proceeding under this section shall have preference over all other civil actions and proceedings

Section 2032 Violations Enforcement and Remedies (a) It shall be unlawful to erect construct reconstruct alter maintain or use any building or structure or to use any land in violation of any regulation in or of any provision of any zoning ordinance or any amendment thereof enacted or adopted by any board of county commissioners under the authority of this subdivision Any person violating any such regulation provision or amendment of any provision of this subdivision shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars ($100) or imprisoned not more than ten days or both Each and every day during which such illegal erection construction reconstruction alteration maintenance or use continues shall be deemed a separate offense

(b) In case any building or structure is or is proposed to be erected constructed reconstructed altered main-

tained or used or any land is or is proposed to be used in violation of this subdivision or of any regulation or provision of any ordinance or amendment thereof enacted or adopted by any board of county commissioners under the authority granted by this subdivision such board the district attorney of the county or any owner of real estate within the district in which such building structure or land is situated may in addition to other remedies provided by law institute injunction mandamus abatement or any other appropriate action or actions proceeding or proceedings to prevent enjoin abate or remove such unlawful erection construction reconstruction alteration maintenance or use

Section 2033 Nonconforming Uses (a) The lawful use of a building or structure or the lawful use of any land as existing and lawful at the time of the enactment of a zoning ordinance or in the case of an amendment of an ordinance then at the time of such amendment may except as hereinafter provided be continued although such use does not conform with the provisions of such ordinance or amendment Such use may be extended throughout the same building provided no structural alteration of such building is proposed or made for the purpose of such extension The board of county commissioners may provide in any zoning ordinance for the restoration reconstruction extension or substitution of nonconforming uses upon such terms and conditions as may be set forth in the zoning ordinance The board of county commissioners may in any zoning ordinance provide for the termination of nonconforming uses either by specifying the period or periods in which nonconforming uses shall be required to cease or by providing a formula or formulae whereby the compulsory termination of a nonconforming use may be so fixed as to allow for the recovery or amortization of the investment in the nonconformance

(b) If any county acquire title to any property by reason of tax delinquency and such property is not redeemed or sold as provided by law the future use of such property shall be in conformity with the then provisions of the zoning ordinance of the county or with any amendment of such ordinance equally applicable to other like properties within the district in which the property acquired by the county is located

Section 2034 List of Nonconforming Uses Immediately after the adoption of any zoning ordinance or amendment by the board of county commissioners the county zoning commission shall prepare and publish a complete list of all nonconforming uses and occupations existing at the time of the adoption of such ordinance or amendment Such list shall contain the names and addresses of the owner or owners of such nonconforming use and of any occupant other than the owner the legal description or descriptions of the land and the nature and extent of land use

After any necessary corrections have been made under a procedure prescribed by the board of county commissioners copies of such list shall when approved by such body be filed for record in the offices of the recorder of deeds and of the chief clerk in the county in which the lands are situated and shall be corrected yearly as the board of county commissioners may prescribe

Section 2035 Filing Upon the adoption of any zoning ordinance or regulation map or maps the board of county commissioners shall file the originals with the chief clerk and a certified copy of each in the office of the county recorder of deeds which copies shall be accessible to the public The recorder of deeds shall file such ordinances and regulations in the same manner and in accordance with the provisions relating to filing of plans plots and replots of subdivisions of land hereinbefore contained in this subdivision and shall be entitled to credit with the county for the pages thereof upon the same rates as therein provided The county commissioners shall furnish the recorder books for the said filing in like manner

Section 2036 Finances The board of county commissioners is empowered to appropriate out of the general county fund such moneys otherwise unappropriated as it may deem fit to finance the work of the county zoning commission and of the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes and other purposes in accordance with this subdivision from either private or public sources State or Federal

Section 2037 Conflict With Other Laws Whenever any regulations made under authority of this subdivision require a greater width or size of yards courts or other open spaces or require a lower height of buildings or smaller number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in or under any other statute the provisions of the regulations made under authority of this subdivision shall govern Whenever the provisions of any other statute require a greater width or size of yards courts or other openspaces or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required by and regulations made under authority of this subdivision the provisions of such statute shall govern Any county may but need not apply its zoning ordinance to any or all cities or boroughs not having and enforcing their own zoning ordinances Failure to include any or every such city or borough within its zoning ordinance shall not affect the validity therof The county zoning ordinance shall be of no effect in any city borough or township which has or adopts and continues to enforce a zoning ordinance of its own No county zoning ordinance adopted under the provisions of this subdivision shall prevail over any lawful airport zoning regulations in any manner inconsistent with the Airport Zoning Act

Section 2038 Subdivision Not to Apply to Certain Buildings of Public Utility Corporations This subdivision shall not apply to any existing or proposed building or extension thereof used or to be used by public utility corporations if upon petition of the corporation the Pennsylvania Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 2039 Definitions The words "amend" "amendment" "amendments" or "amended" in this subdivision shall be deemed to include any modification of the text or phraseology of any provision of any zoning ordinance or amendment thereof or any repeal or elimination of any such provision or part thereof or any addition to the ordinance or to an amendment thereof and shall also be deemed to include any change in the number shape boundary or area of any district or districts any repeal or abolition of any map forming part of or referred to in any zoning ordinance or any part of such map and in addition to such map any new map or maps or any other change in the maps or any map

Article XXI

Public Health

(a) General Provisions

Section 2101 Health Work The board of county commissioners may provide and annually appropriate from any moneys in the county treasury not otherwise appropriated such sum or sums as they deem necessary for the protection of the health cleanliness convenience comfort and safety of the people of the county

(b) County and Joint County Hospitals

Section 2110 Expenses of Maintenance Care and Treatment All expenses incident to the maintenance and operation of any county or joint county contagious disease hospitals and of buildings wings and units at general hospitals erected and equipped for such diseases under the provisions of this act shall be paid by the county or by the counties so joining out of county funds in accordance with the agreement made between or among the participating counties or between or among the county and any municipalities within the county in the case of joint county hospitals or of buildings wings and units at general hospitals jointly agreed upon by counties under the provisions of this act The county or each county in the case of joint arrangements shal separately be liable to

pay the cost of the care and treatment of its indigent patients and those unable to pay the entire cost of care and treatment in such contagious disease hospitals and in buildings wings and units at general hospitals and for such purposes any county or the counties so joining shall have power to appropriate county funds.

Section 2111 Administration of County and Joint County Hospitals After any county hospital for contagious diseases is erected and equipped and ready for occupancy it shall be operated by and under the authority of the county commissioners of the county in the same manner that other county buildings and institutions are operated and in the case of joint county hospitals the operation shall be in the manner provided in the agreement between the counties All county or joint county contagious disease hospitals heretofore erected and constructed shall hereafter be maintained and operated in the manner provided by this subdivision

Section 2112 Removal of Contagious Cases to Hospital In any county having a hospital for the care and treatment of contagious diseases any lawfully authorized health authorities of or within the county may remove cases of contagious disease to such hospital for treatment and isolation whenever proper quarantine measures cannot otherwise be enforced

Section 2113 Advisory Board for County Hospital for Tuberculosis (a) If a majority of the electors voting upon the question submitted to them pursuant to the provisions of this act at an election shall be in favor of the establishment of a hospital by the county for the treatment of persons afflicted with tuberculosis the court of common pleas of the county shall immediately appoint an advisory board of five members all of whom shall be electors of the county and one of whom shall be a licensed physician The members of said board shall be appointed one for a term of five years one for a term of four years one for a term of three years one for a term of two years and one for a term of one year or until their successors are appointed and have qualified All appointments at the expiration of any term shall be for a term of five years

(b) The board shall meet monthly and at such other times as it may be deemed necessary The board shall visit and inspect and keep in close touch with the management and operation of said hospital and shall from time to time make such recommendations and suggestions to the county commisisoners for changes or improvements in said management and operation as may be deemed advisable It shall also make an annual report to the county commissioners concerning the management and operation of said hospital

(c) The county commissioners shall at the expense of the county provide a meeting place for said board and furnish all supplies and materials necessary to carry on its work

(d) The members of the board shall not receive any compensation for their services but shall be allowed all actual and necessary expenses incurred in the discharge of their duties which shall be paid by the county

Section 2114 Employes' Salaries in County Hospital for Tuberculosis The county commissioners may after consultation with the advisory board employ a superintendent and such physicians nurses and other employes as may be necessary to properly conduct and manage such hospital and the salary board shall fixe their compensation All such salaries shall be paid by the county treasurer in the usual manner

Section 2115 Management The county commissioners shall have power after consulting with the advisory board to make general rules and regulations for the management of the county hospital for tuberculosis and shall have power to do all acts deemed necessary to promote the usefulness of the hospital in the prevention of tuberculosis

Section 2116 Use of Hospital Every hospital established under the provisions of this act for the treatment of tuberculosis shall be used for the benefit of all inhabitants afflicted with tuberculosis resident within the county in which the hospital is located and all such persons shall be entitled to occupancy nursing care treatment and maintenance according to the rules and regulations prescribed by the county commissioners The county commissioners may exclude from the use of the hospital any person who wilfully violates any rule or regulation adopted for the hospital by said county commissioners The county commissioners may charge and collect from persons admitted to the hospital or persons legally responsible for their maintenance reasonable compensation for the care treatment and maintenance of such persons but free treatment shall be given to all such persons who are after reasonable investigation found to be unable to pay

Section 2117 Patients from Other Counties Donations (a) The county commissioners may admit patients to the county hospital for tuberculosis who are resident within any other county of the Commonwealth provided such other county agrees to reimburse the county in which the hospital is located for all charges in connection with the admission maintenance care and treatment of such patients and not paid by the patients themselves Authority is hereby conferred upon all counties in the Commonwealth to pay to any other county in which such hospital is located reasonable charges for patients cared for by said hospital resident in the county paying such charges

(b) All money received from the care and maintenance of patients or from gifts or donations shall be paid into the county treasury and shall be used only for the maintenance of such hospitals County commissioners are authorized and empowered to receive contributions donations property and trust funds for the erection and maintenance of such hospitals as provided in this act

Section 2118 Appropriations Tax Levy The advisory board for county hospitals for tuberculosis herein provided for shall by September thirtieth of each year furnish to the county commissioners and the county controller if any a schedule of expenses deemed necessary for the maintenance and operation of the hospital for the ensuing year The county commissioners shall after considering the schedule submitted by the advisory board annually make appropriations deemed by them sufficient to properly manage and operate said hospital The county commissioners shall levy a special tax sufficient to produce the moneys appropriated to said hospital which tax shall be collected in the same manner as other county taxes and shall be paid into the county treasury All payments from the county treasurer shall be made by voucher checks in the usual manner

Section 2119 Hospitals for Tuberculosis Established Under Other Laws In any county where any hospital for tuberculosis has been begun or erected under the provisions of any act of Assembly heretofore repealed such proceedings and hospital may be completed and the said hospital may thereafter be managed and operated in accordance with the provisions of this act

(c) County Health Aid to Institutions and Political Subdivisions

Section 2130 Appropriations to Hospitals Tuberculosis Sanitaria and Homes The board of commissioners may appropriate moneys for the support of any hospital located within or without the limits of such county which is engaged in charitable work and extends treatment and medical attention to residents of such county and may also appropriate moneys for the support of any home or place of detention of dependent delinquent and neglected children located within the county and may also appropriate moneys for the support of any sanitarium for the treatment of persons afflicted with tuberculosis located within the Commonwealth of Pennsylvania which sanitarium is engaged in charitabe work and extends treatment and medical attention to residents of such county

Section 2131 Appropriation to Society Maintaining Tuberculosis Sanitarium for Indigent The board of commissioners may appropriate to any duly incorporated society chartered to maintain a sanitarium for the treatment therein of persons suffering from tuberculosis so much money as may be necessary for the maintenance of indigent persons residents of the county who may be

inmates of such sanitarium and under treatment for tuberculosis Said appropriation shall not exceed for each indigent inmate the sum of ten dollars ($10) per week payable every three months at the end of the period The board of commissioners shall at all times have free access to such sanitarium for inspection of its management and for the ascertainment of the number of indigent persons receiving treatment therein.

Section 2132 Aid to Boroughs and Townships for Sewage Purposes The board of county commissioners may appropriate moneys from the county treasury to aid cities of the third class boroughs incorporated towns or townships in the construction or maintenance of sewer or sewage treatment works where such sewers and treatment works have been first approved by the Sanitary Water Board of the State Department of Health in the manner provided by law

(d) Insect Control

Section 2150 Secretary of Agriculture to Cooperate Elimination and Abatement of Larvae Breeding Places Liens (a) The Secretary of Agriculture of the Commonwealth is hereby authorized and empowered to cooperate with and assist the county commissioners of any county in the effective carrying out the provisions of this suzdivision He may authorize a deputy to meet with the commissioners as his representative The necessary expenses actually incurred by the secretary and his deputy in compliance with this section shall be allowed and paid by the Commonwealth as a part of the expenses of the Department of Agriculture He shall furnish the said commissioners with such surveys maps information and advice as they may require for the prosecution of their work or as in his opinion will be of advantage in connection therewith

(b) The county commissioners shall have power to eliminate all breeding places of mosquitoes on private or public property within the county and to do and perform all acts including entry upon prlivate or public property and to carry out all plans which in their opinion and judgment may be necessary or proper for the elimination of breeding places of mosquitoes or which will tend to exterminate mosquitoes within said county

(c) Any water in which mosquito larvae breed is hereby declared a public nuisance and subject to abatement as such Whenever any such breeding pace exists on any lands in the county other than meadow or marsh lands subject to the ebb and flow of the tide which breeding place should in the opinion of the commissioners be abated they shall in writing order the owner or owners of such lands to abate the same within a reasonable period and in a manner to be specified in such order If at the expiration of such period such order has not been complied with or if the owner or owners of such lands cannot be ascertained or found the commissioners shall at once abate said nuisance and may assess all or part of the cost of such abatement against the lands on which such breeding place exists They may file municipal liens for said assessments within the time and in the manners provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens

Sction 2151 Not to Affect Public Water Supply No order of abatement shall authorize nor shall the county commissioners employ any method of extermination which shall in anywise affect waters used and useful in the supply of water to the public whether by a municipality or a water supply company

Section 2152 Appropriations Report to Secretary of Agriculture (a) The county commissioners may appropriate the amount of money necessary for the purpose of carrying out the provisions of this subdivision In no year shall the amount so appropriated exceed one-fourth of one mill on each dollar of the assessed value of taxable real estate in the county The sums so appropriated or so much thereof as may be required shall be paid out from time to time by the county treasurer on the orders of the county commissioners

(b) It shall be the duty of the county commissioners annually on or before the first day of February of each year to submit to the Secretary of Agriculture a report setting forth the amount of moneys expended during the previolus year if any the methods employed the work accomplished and any other information which in its judgment may be pertinent

Article XXII

Aeronautics

Section 2201 Authority to Establish Airports Subject to the provisions of The Aeronautical Code any county shall have the right and authority to establish construct and provide for air navigation facilities in accordance with the provisions of this article

Section 2202 Counties May Hold or Acquire Lands for Aeronautical Purposes (a) Any county may use for the purpose of any air navigation facilities any land within the county and owned by the county when the county commissioners determine such land necessary for such purposes

(b) Any county may appropriate for the purpose of any air navigation facilities any lands purchased by it at any tax sale and not redeemed within the period of redemption if any provided by law

(c) Any county may acquire by gift lease purchase or condemnation proceedings any land lying within its territorial limits or the territorial limits of any adjoining county which in the judgment of the county commissioners may be necessary and desirable for the purpose of establishing and maintaining air navigation facilities or of enlarging them but no such land shall be so acquired in any adjoining county without the assent of the county commissioners thereof

Section 2203 Condemnation Proceedings Title The proceedings for the condemnation of lands under the provisions of this article and for the assessment of damages for property taken injured or destroyed shall be conducted in the same manner as now provided by law for the condemnation of land or buildings for county purposes in the county in which the land issituated

The title acquired by virtue of any such condemnation shall be a title fee simple

Section 2204 Lease for Aeronautical Purposes Any county acquiring land for any aeronautical purposes may lease the same or part thereof for an adequate consideration after due public notice to any individual or corporation desiring to use the same for the purposes of taking off or landing an airpane or for other aeronautical purposes on such terms and subject to such conditions and regulations as may be provided Any such county may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for air mail delivery or other aeronautical purposes upon nominal rental or without consideration

Section 2205 Joint Operation Leasing Any county acquiring land for any aviation purpose may operate and maintain such air navigation facilities jointly with any city county borough town or township or other political subdivision upon such terms and conditions as may be agreed upon between the authorities thereof and the county commissioners of the county and such joint facilities may be leased as hereinbefore provided upon the joint action of the authorities involved and the county commissioners

Section 2206 Engineering and Construction Appropriations Any county acquiring any land for any aeronautical purposes may by resolution of the board of commissioners appropriate such funds as are necessary for the engineering design surveys and construction of such facilities either wholly by themselves or in cooperation with State Federal or other public agencies supplying a portion of the necessary funds for said work

Section 2207 Contracts for Construction and Repairs In establishing maintaining and operating air navigation facilities where construction and repair of roadways runaways buildings and facilities or the purchase thereof are deemed necessary within or for use within the limits

of land acquired for such purpose there shall be no necessity for submission thereof to the court of quarter sessions or grand jury of any county but contracts therefor shall be entered into as provided for the general business of the county and in the case of joint establishment operation and maintenance with any other political subdivision contracts relating thereto shall be entered into as provided for the general business of any of such participating political subdivisions

Section 2208 Validation of Contracts Any contracts heretofore entered into for construction and repair of roadways runways buildings and facilities or the purchase thereof within or for use within the limits of land acquired for the establishment and operation of airdromes or landing fields without first having obtained the approval of the court of quarter sessions or grand jury of any county and entered into as provided for the general business of the county or other political subdivisions jointly interested are hereby ratfied confirmed approved and declared lawful contracts

Section 2209 Appropriating Money to Assist Political Subdivisions for Airports The county commissioners of any county may appropriate moneys to assist any city borough town township or other political subdivision within such county or within any adjacent county to acquire establish operate and maintain any and all air navigation facilities

Article XXIII

Grounds and Buildings

(a) General Provisions

Section 2301 Title to Real Estate Vested in County The title to all court houses jails prisons and workhouses together with the lots of land thereunto belonging or appertaining and all other real property acquired or that may hereafter be acquired by or for the use of the county shall be vested in the county for the use of the people thereof and for no other use except hereinatfer provided

Section 2302 Exemption from Taxation and Attachment All property of the county real or personal shall be exempt from taxation and from levy and sale by virtue of execution or of any other process

Section 2303 Insuring Buildings and Contents The county commissioners may provide insurance against fire and extended coverage against public liability and such other forms of insurance including insurance against burglary as shall seem proper to them for county buildings and the contents real and personal thereof The cost of such insurance shall be paid from the general funds of the county

Section 2304 Credit of County Available for Grounds and Buildings In the acquisition construction or alteration as the case may be of land and buildings for county purposes the commissioners may issue bonds of the county in accordance with the Municipal Borrowing Law to meet the costs thereof except as any other system of financing shall be expressly provided by law for any particular county buildings

(b) Acquisition Use Leasing and Disposing of Real Property for County

Section 2305 Acquiring and Using Real Property Court Approval Exceptions (a) The county commissioners may purchase take by gift devise or by the power of eminent domain in accordance with the provisions of this act such real property at the county seat or in such other places as may be authorized by law as they deem necessary for the purposes of a county court house county jail prison workhouse detention house or other county building either in acquisition of a building suitable for such purposes or in the construction of a new building or in the alteration including enlargement of an existing county building Any purchase herein authorized shall be subject to the approval of the court of common pleas of the county as to purchase price and no such contract shall bind the county nor shall any conveyance be valid until the court has so approved the purchase price

(b) The county commissioners may also use any real property at the county seat or elsewhere as authorized by law owned by the county and deemed suitable by them for the purposes aforesaid except such property as is bound by contract to another public use

(c) The county commissioners may provide for the grading filling draining gardening and otherwise improving and maintaining of all lands for county buildings either by contract or by county employes as they deem proper

(d) To the extent that any of the matters provided for herein are otherwise specifically provided for by law with regard to any particular acquisitions of real property by counties either by tax sales or by other purchases this section shall not apply to such matters

Section 2306 Authority to Sell or Lease Real Property The board of commissioners may sell or lease either as lessor or lessee any real property belonging to the county or to others where the county is lessee In the event of such sale or of a lease or lessor under which the lessee acquires on a royalty basis or otherwise the right to drill for oil or gas or to mine or remove coal stone or other mineral products or to cut and remove tree stumps wood or other forest products the commissioners shall petition the court of common pleas setting forth a description of the property to be sold or leased and the reason therefor If the commissioners know or have reason to believe that the property to be sold contains oil gas coal stone timber or other mineral or forest products of commercial value such knowledge or belief shall be stated together with the description The court shall thereupon fix a day for hearing notice of which shall be given in at least two newspapers in said county of general circulation once a week for three consecutive weeks After hearing the court shall make such order and decree as shall seem right and proper In the case of any lease of county property hereunder such property with any and all improvements or additions thereon or thereto shall in the hands of the lessee be subject to taxation by such county and any other political subdivision therein in the same manner as other real estate located in the county Such taxes shall be levied and assessed against and paid by the lessee This section shall not apply to leases or sales of county property or other property which are otherwise specifically provided for by law

Section 2307 Conveyance and Lease of Real Estate The board of commissioners shall make and acknowledge a deed or lease of any real estate belonging to the county which they are authorized to sell or lease under their hands and seals as commissioners with the seal of the county attached and the same shall be a good and lawful conveyance in fee simple or lease

Section 2308 Conveyances to General State Authority Any county may grant assign and convey to the General State Authority with or without consideration any lands easements or rights in lands together with any improvements buildings or structure therein or thereon now owned by such county or hereafter acquired by it needed or convenient as a site for a county court house or may ease to the Authority for a term not exceeding ninety-nine years at a nominal or such other rental as may be determined any or all such lands easements or rights in lands together with any improvements structures or buildings therein or thereon

Section 2309 Leasing from General State Authority Any county may enter into contracts with the General State Authority to lease as lessee from the Authority any county court house or any improvement thereto and the furnishings and equipment thereof constructed by the Authority for a term not exceeding thirty years at such rental or rentals as may be determined by the Authority Upon the completion of such county court house or improvements and the furnishings and equipment thereof the county may lease the same as lessee from the Authority for a term not exceeding thirty years at such rental or rentals as may be determined by the Authority

Section 2310 Acquisition of Lands for Conveyance to General State Authority Any county may acquire lands or interests in lands by purchase gift or condemnation which may be required to carry out the purposes of the two sectoins immediately preceding

Section 2311 Disposing of County Property for Other Uses Demolition Court Approvals Whenever any new county building is constructed to replace a county building no longer suitable for the purposes of its use or to any other acquisition of land authorized by law any building title and interest to which is in the county and any such replaced or acquired building is deemed no longer suitable or not suitable for use as a county building or for use as an auxiliary to any county building the county commissioners may with the approval of the court of common please devote said replaced or acquired building to such other public use or purpose as shall be found suitable and proper including a war memorial They may with the approval of said court convey all or a part of the title and interest of the county in such building with or without the land or a part of the land upon which it is situate either by sale or by gift to any public or charitable institutions or to any political subdivisions singly in common or jointly within the county

The county commissioners may remove any such building from one location to another within the county with the approval of the court of common pleas for the purpose of enabling its use as a county building by virtue of its relocation The commissioners may cause any such building to be demolished and removed from land of the county if of no use to the county upon the approval of the court of common pleas upon due cause shown

(c) Acquisition Construction or Alteration of County Buildings

Section 2315 Authority and Precedure for Acquiring Constructing or Altering County Buildings Exceptions (a) The county commissioners may purchase or take by gift any building at the county seat or elsewhere as authorized by law deemed suitable and proper by them for use as a county building No purchase thereof shall be made unless approved by the court of common pleas of the county as to suitability and as to all terms of the contract including the purchase price

(b) The county commissioners may provide in accordance with this section for the construction or alteration including enlargement of a county court house county jail prison workhouse detention house and such other county buildings as may be required or authorized by law Such construction or alteration shall be done at the county seat or elsewhere as authorized by law Whenever the county commissioners undertake any such construction or alteration they shall cause to be prepared plans and specifications therefor and shall submit such plans and specifications as are approved by them to the judges of the court of common pleas for approval If the said court upon due consideration and such hearings and other measures as it may desire approve the said plans and speficifications as submitted or as modified the county commissioners may secure bids for the contract or contracts involved in the construction or alteration in accordance with this act Any such contract or contracts shall be made as provided by this act but shall in addition be subject to the approval of the court of common pleas as being in accordance with the plans and specifications approved by it and otherwise proper and authorized by law The said court may in each case follow such procedures hear such witnesses or call for such evidence as shall inform its judgments regarding such approvals

(c) Except where another procedure is provided by law with regard to such construction or alteration of any particular county building the provisions of this section shall be followed for all such purposes

Section 2316 Right to Build on Public Squares Whenever the court house jail or other building of the county is located upon a public square or common in the city borough or town then being the county seat and a new building is authorized and required to be erected in place of such court house jail or other building the board of county commissiners may erect such new building upon any other of the public squares or commons of said city borough or town or upon any part thereof if the council of the city borough or town shall have first consented to such new location for said building

Section 2317 Separate Bids for Plumbing Heating Ventilating Electrical Work Elevators and Moving Stairs In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars ($1000) the architect engineer or other person preparing such specifications shall prepare only the following separate specifications (1) plumbing (2) heating (3) ventilating (4) electrical work (5) elevators and moving stairs and (6) one complete set of specifications for all the other work to be done in such erection construction and alteration The board of commissioners shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches including the balance of the work in addition to the plumbing heating ventilating and electrical work and elevators and moving stairs Where it is desired to install an air conditioning unit the heating and ventilating so involved may be regarded as one branch of work having only one set of specifications and bids may be received and a contract awarded thereon as herein before provided

Section 2318 Additional Bond to Protect Labor and Materialmen on Contracts (a) It shall be the duty of every county to require any person co-parnership association or corporation entering into contract with such county for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred dollars ($500) before commencing work under such contract to execute and deliver at such county in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person co-partnership association or corporation interested in a sum not less than fifty per centum and not more than one hundred per centum of the contract price as such county may prescribe Such bond shall have as surety thereon one or more surety companies legally authorized to do business in this Commonwealth and shall be conditioned for the prompt payment for all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated

(b) Such additional bond shall be deposited with and held by the county for the use of any party interested therein

(e) Every such additional bond shall provide that every person co-partnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the county for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereon but the county shall not be liable for the payment of any costs or expense of any suit

(d) Any contract executed in violation of the provisions of this section shall be null and void

Section 2319 Compliance with Workmen's Compensation Law (a) All contracts executed by the board of commissioners which shall involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act and any reenactments supplements or amendments thereto

and that the said contractor will insure his liability thereunder or file with the board of commissioners a certficate of exemption from insurance from the Department of Labor and Industry of the Commonwealth

(b) The board of commissioners before signing on behalf of the county any contract requiring in its performance the employment of labor shall require proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act and any reenactments supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the contractor has had issued to him a certificate of exemption from insurance from the Department of Labor and Industry

(c) Any contract executed in violation of the provisions of this section shall be null and void

Section 2320 Restrictions on Letting Contracts to Architects and Engineers It shall be unlawful for any architect or engineer in the employ of any county to bid on any public work of such county

It shall also be unlawful for the officers of any county charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the county

Any person or persons violating these provisions or any of them shall be guilty of a misdemeanor and on conviction thereof shall forfeit his office and be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment of not less than six months or both Any contract made in violation of this section shall be null and void

(d) Policing Administration and Public Order of Grounds and Buildings

Section 2325 Buildings and Grounds to be Kept in Order and Repair The board of commissioners shall keep and maintain the public buildings of the county in suitable and convenient order and repair and shall keep the grounds about county buildings in proper condition and appearance The provisions of this subdivision shall not apply to particular county buildings which are otherwise expressly provided for by law

Section 2326 Watchman and Employes The board of commissioners may appoint one or more officers or watchmen to guard and protect county buildings and to enforce the provisions of this act and other laws relating thereto Such officers or watchmen shall have power to arrest on view any person violating the same

The board of commissioners shall employ all janitors firemen engineers mechanics laborers and caretakers of all county buildings and grounds

Section 2327 Display of Municipal Flags on County Buildings Authorized It shall be lawful to display the flag of any county city borough or other municipality in the Commonwealth on the public buildings of any county

Section 2328 Special Provisions Relating to County Jails Prisons Workhouses and Detention Houses Except as may be otherwise provided by law for each county jail prison workhouse or detention house the county commissioners shall appoint a superintendent and a matron and such other officers as they may deem necessary whose duties shall be prescribed by the regulations for such institutions and whose salaries shall be fixed by the salary board

Every such institution shall hereafter be so constructed that every person committed thereto whether upon conviction or otherwise may be confined separate and apart from every other person committed thereto due regard being had in the plan of construction to the health of the persons to be so confined

Commitments to every such institution shall be made as provided by law

Section 2329 Disorderly Conduct in and About Courthouses and Jails Prohibited It is unlawful for any person to cause any outcry or disorder or be guilty of any indecent or unbecoming conduct tending to disturb the peace and good order in the county courthouse jail or other county buildings or to wilfully or carelessly defile deface or injure the floors walls or any other portion of said buildings or fences or railings surrounding the same or the carpets furniture or other articles or things used in or about said buildings belonging to the county Any person violating any of the provisions of this section shall make restitution for damages arising therefrom and shall upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) In case such person shall neglect or refuse to pay the same he or she shall suffer an imprisonment not exceeding thirty days

(e) Special Provisions for Temporary County Buildings and for Rooms in County Buildings

Section 2335 Temporary Courthouse Whenever the courthouse or place appointed by law for holding any of the courts shall be unsafe shall have been destroyed or is under repairs the board of commissioners shall procure some other convenient place at the county seat to be approved by the court for temporary use for holding and administering such courts

Section 2336 Separate Rooms for Women Jurors The board of commissioners shall provide and maintain a separate room or rooms at or adjoining the court house upon order of the court for the comfort accommodation and convenience of women jurors and such rooms shall be provided with suitable furniture for the use of women jurors who may be serving upon juries unable to bring in verdicts upon the day in which the case was placed in their hands These rooms shall also be equipped with mirrors toilets beds and other conveniences necessary to provide for the safety comfort and convenience of the occupants thereof

Section 2337 Room or Building for Juvenile Offenders Waiting Trial The board of commissioners shall provide furnish and heat within the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county and provide for the maintenance and care of such children while in custody

Section 2338 Rooms for Justices and Judges The county commissioners of the several counties of this Commonwealth shall furnish an office for each of the judges of the Supreme Court the judges of the Superior Court of the court of common pleas and orphans' courts in the courthouse at the county seat of the county in which such justices or judges respectively may be resident and wherein the business of the courts may be largely transacted in case no such office is available in the courthouse they shall at the proper cost of the respective counties furnish an office in such building as may be selected by the respective justices or judges and county commissioners

Said counties shall likewise furnish and pay for such janitor service stationery telephone telegraph clerical and other services as shall be deemed necessary by such public officers for the discharge of the duties of their offices The compensation for any clerical services shall not exceed that ordinarily paid to an official court stenographer of a county as shall be determined by the salary board

Section 2339 Furnishing Rooms for Meetings of Certain Veterans and of Sons of Veterans The board of commissioners may in their discretion upon application therefor furnish to each organization composed of veterans of the Spanish-American War Veterans of World War I and of World War II or of any other war in which the United States engaged and Sons of Union Veterans a room or rooms in any public building of such county sufficient for the meeting of each of such organizations at least once each month

(f) Improvement of Streets Along County Buildings Street Lighting

Section 2345 Joining With City in Improving Certain Streets and Highways (a) The board of commissioners of counties now erecting or which may hereafter erect public buildings in any city may with the approval of the court or courts of common pleas if there is more than one join with the proper authorities of such city in the grading re-grading paving re-paving and improvement of so much of the streets and highways as are in upon or alongside of the grounds upon which said public buildings stand

(b) The commissioners may enter into contract with any such city authorities for the payment of a just proportion of the expense of said grading re-grading paving re-paving and improvement of said streets and highways and may appropriate from the county treasury sufficient funds for this purpose They may act with any committee or committees which may be appointed by such city authorities to establish grades determine the kind and quality of paving materials to be used and ratify the contracts entered into by said city authorities in the course of said improvements

(c) No obligation shall rest upon the county for any proportion of the expenses of such improvements until the selection of grades and paving materials and the acceptance of bids by said city authorities shall have been ratified by the board of commissioners and approved by the court or courts of common pleas

Section 2346 Ornanmental Illumination (a) Whenever the courthouse jail workhouse or other public building of a county abuts upon the street of a city or borough which is the county seat and which shall provide for the ornamental illumination of that section of the street whereon the county building abuts the county commissioners of such county may appropriate moneys from the county funds towards the installation of such ornamental illumination

(b) The appropriation by the county commissioners of a county for such purpose shall not exceed the amount that shall be assessed for such ornanmental illumination upon owners of an equivalent frontage of property abutting upon said street measured by the foot front rule

(g) Comfort Stations

Section 2350 Appropriations for Comfort Stations (a) The board of county commissioners may appropriate moneys to assist any city or borough being the county seat or any city or borough therein having a population of ten thousand or more inhabitants to construct and maintain comfort stations within the boundaries of the county

(b) The county commissioners in cooperation with the municipal authorities of the municipality wherein the courthouse lies may provide and equip and maintain in the courthouse rest or waitin rooms for the public and provide attendants therefor The cost of providing such rooms and of maintaining the same incuding salaries and all incidental expenses shall be paid by the county and by the municipality as they agree for all which purposes the county commissioners and said authorities may respectively appropriate moneys

(c) Any part of any ground acquired by any county for the purposes of a courthouse jail or workhouse may be leased by such county to any municipality being the county seat of such county for the purpose of the construction thereon of a public comfort station by such municipality

(h) Monuments and Memorials)

Section 2355 Monuments and Memorials to War Veterans The board of commissioners may appropriate money for and provide for the erection of monuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of any war in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

Section 2356 Assistance to Private or Municipal Agencies The board of commissioners may in order to prevent duplication appropriate money to assist any individual private corporation city borough town or township in the erection of any monument or memorial for said soldiers sailors and marines Before any such appropriation is made the style and character of such monument or memorial shall be approved by the State Art Commission

Section 2357 Erection or Completion of Monuments and Memorials on Petition to Court Upon the petition of at least fifty citizens of the county to the court of quarter sessions for the erection or completion and maintenance at the county seat of a memorial monument or memorial hall in honor of the soldiers sailors or marines of such county who served in any war in which the United States has been or may hereafter be engaged the court may lay the same before the grand jury If approved by two successive grand juries and the court and in the case of a memorial hall by the electors of the county the board of commissioners may erect such memorial monument or memorial hall or complete any of them partly erected but not completed and maintain at the county seat a suitable monument or memorial in honor of said soldiers sailors and marines

Section 2358 Election on Memorial Hall Purchase or Condemnation of Site (a) When the petition provided for in the preceding section has been approved by two successive grand juries and the court of quarter sessions the board of commissioners shall submit the question of the erection of a memorial hall to the electors of the county at the next election and if a majority of the votes cast on the question of the erection of a memorial hall shall be in favor of the same the board of commissioners shall erect at the county seat a memorial hall and acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and erect and maintain thereon a suitable and proper memorial hall or building in memory of the soldiers sailors and marines of any such wars

(b) In case said election shall result adversely and a second petition shall be presented the same shall be laid before two successive grand juries and if approved then it shall be the duty of the county commissioners to again in like manner submit the question to vote at the next general or municipal election and if the result shall be favorable then it shall be the duty of the county commissioners to erect such hall at such place in the county as shall have been designated upon the ballot or ballot label in the question submitted to the electors

(c) All proceedings for the condemnation of any property under the provisions of this section shall be in the manner and subject to the restrictions and procedure provided in this act

Section 2359 Existing Building May Be Used If any such site has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall the board of commissioners may acquire such site in the manner aforesaid for the purpose of a memorial hall

Section 2360 Donations For the purpose of aiding in paying the purchase money and price for the site and erection and construction of such memorial hall voluntary donations and contributions may be accepted by the board of commissioners from individuals associations and organizations

Section 2361 Maintenance of Hall Such memorial hall shall be and remain the property of and shall be maintained at the expense of the county

Section 2362 Plan of Hall Special Rooms to Be Provided (a) Such memorial hall shall be in honor of the soldiers sailors and marines from said county who served in the Army and Navy of the United States in any war in which the United States has been or may hereafter be engaged Such memorial halls shall each contain one

large assembly room or auditorium for public meetings of the soldiers sailors and marines of the county which may be used also for other public meetings patriotic gatherings and civic purposes by the consent of the board of control herein provided for

(b) Such memorial hall shall also contain rooms for meeting of camps of the Sons of Union Veterans Women's Re ief Corps Ladies of the Grand Army of the Republic chapters of the Daughters of the Revolution organizations of the Spanish-American War and Philippine Insurrection the American Legion Veterans of Foreign Wars and organizations of veterans of all other wars in which the United States has or may be engaged and also rooms for such committees of public defense and welfare as may be created by the Commonwealth or as may be approved by the board of control hereinafter provided for

(c) Such memorial halls shall also provide room for the display and preservation of relics and trophies of all wars in which the United States has been or may be engaged photographs paintings and portraits busts and statues of the soldiers sailors and marines of the county and mural tablets upon which shall be inscribed the names of such soldiers sailors and marines Such memorial halls shall also contain waiting and rest rooms wtih lavatories attached

Section 2363 Board of Control (a) A board of control is hereby created which shall have charge of all matters relating to such memorial hall and shall have the care thereof The board shall be composed of one member chosen by members of camps of Spanish-American War Veterans one member chosen by members of the Veterans of Foreign Wars one member chosen by members of the American Legion and one member chosen by the American War Veterans of Wor'd War II (AMVETS) The judges of the court of common pleas and the board of commissioners shall be ex-officio members of the board of control The selected members of the board shall serve one year when their successors shall be selected Vacancies occurring shall be fil'ed by the board for the unexpired term of the member whose death resignation or removal caused the vacancy

(b) This section shall not apply to any county in which there has been created by existing law a similar board of control and any references to the board of control in this subdivision shall be inapplicable in so far as they are inconsistent with the provision of such law

Section 2364 Flagstaff to be Erected Display of Flag A suitable flagstaff shall be erected upon said memorial hall from which shall be displayed the flag of the United States from sunrise to sunset on each and every day of the year

Section 2365 Acquisition of Additional Land Equipment Furnishing Etc In any county in which there has been or may be hereafter engaged upon petition of at least fifty the soldiers sailors or marines from such county who served in any war in which the United States has been or may be heerafter engaged upon peittion of at least fifty citizens to the court of quarter sessions setting forth that it is necessary or desirable to acquire additional land adjoining that upon which said memorial hall is erected to enhance and preserve the beauty and character of said memorial hall and the object had in its erection or that it is necessary or desirable to equip furnish decorate and make additions to said memorial hall or both the court shall lay said petition before the grand jury then or next sitting for their approval If said petition shall be approved by said grand jury it shall be certified back to the court If no exceptions thereto are filed within ten days from the date upon which said petition was certified back to the court or if exceptions are filed and are dismissed the court shall confirm said petition absolutely and thereupon the court may make an order authorizing the board of commissioners to acquire by purchase gift or condemnation such additional land or to equip furnish decorate and make additions to said memorial hall or both

Section 2366 Tax Levy Increase of Indebtedness The board of commissioners may provide the funds with which to pay for the ground purchased or condemned and the erection thereon of a memorial hall or the acquiring of additional land or for the enlarging equipping furnishing and decorating of said memorial hall by the levying and collecting of a tax upon the taxable persons and property within said county and by increasing the indebtedness of said county according to law and by issuing and selling bonds Such bonds shall be issued in accordance with the provisions of the Municipal Borrowing Law

Section 2367 Preservation Maintenance Repair and Completion of Public Monuments The board of commissioners may preserve maintain and repair any public monument in the county other than in cemeteries including the enclosed public ground surrounding the monument and appropriate moneys for such purposes In any case where any public monument referred to in this section has been partially completed either in construction or payment the board of commissioners may appropriate money for the purpose of such completion

(i) Public Auditoriums Public Libraries Public Memorial Buildings and Monuments

Section 2368 Acquiring of Property (a) Counties shall have power to take by gift purchase by the issuance of bonds or otherwise or acquire through condemnation proceedings property for the purpose of erecting thereon public auditoriums public libraries public memorial buildings and monuments

All proceedings for the condemnation of any property under the provisions of this section shall be in the manner and subject to the restrictions and procedure provided by law

(b) Counties may appropriate money from the public funds or by issuance of bonds in accordance with the Municipal Borrowing Law for the erection on said property taken purchased or acquired through condemnation proceedings public auditoriums public libraries public memorial buildings and monuments They may appropriate moneys for the operation and maintenance of such public auditoriums public libraries memorials buildings and monuments

Section 2369 Rental of Auditoriums Counties in case of public auditoriums may charge a rental for the use of said auditoriums All moneys derived from rental of said auditoriums shall first be devoted to the maintenance of said auditorium and any annual balance accruing therefrom shall be turned over to the county funds for the general uses and purposes of said county

Section 2370 Consent of City or Borough No county shall acquire any property for or erect any such public auditorium library memorial building or monument within the limits of any city or borough except the county seat without the consent of the corporate authorities of such city or borough

(j) Homes and Hospitals

Section 2374 Donations to Orphans' or Childrens' Homes The board of commissioners may receive from time to time donations gift legacies endowments devises and conveyance or conveyances of property real or personal that may be given or granted for the use and purpose of providing a home within the county for the keeping and care of indigent orphans and children dependent upon the public of such county for support

Section 2375 Management and Control of Orphans' Home Any such orphans' home shall be under the management and control of the board of commissioners of the county and they are hereby authorized to appoint a superintendent and such assistants as may be necessary to properly conduct the affairs of such home

Section 2376 Admission to Home Indigent orphans and children shall be admitted to any such home on order of the board of commissioners

Section 2377 Maintenance of Children's Home When any property has been given or granted to any such county for a children's home and a home is duly established the county may thereafter appropriate from the county funds moneys for the support and maintenance of such orphans

and children and for the payment of the salary of the superintendent and his assistants

Section 2378 Contagious Disease Hospitals or Units (a) Whenever in the opinion of the board of commissioners of any county or the boards of commissioners of two or more counties a hospital for the care and treatment of contagious diseases appears to be necessary or advisable the board of commissioners of the county or the boards of commissioners of two or more counties jointly may either erect construct equip and maintain such a hospital on the grounds of the county institution district of any of the counties adjoining or may purchase a suitable site for such purpose in some other locality

(b) In lieu of erecting and constructing a separate contagious disease hospital the board of commissioners of a county or the boards of commissioners of two or more counties jointly may enter into an agreement with a general non-sectarian non-profit hospital or hospitals within the county or within any of such counties or any adjoining county and may appropriate county moneys to such hospital or hospitals for the erection construction and equipment of a building or wing or unit for the care isolation and treatment of contagious disease cases In any such contagious disease hospital or building wing or unit provision shall be made for the care and treatment of indigent persons and of persons who are able to pay for their care and treatment in whole or in part

(c) The county commissioners may in like manner join in establishing maintaining equipping and operating a contagious disease hospital with any municipality within the county

Section 2379 Plans and Specifications Approval Construction Plans and specifications for any county or joint county hospital or building wing or unit at a general hospital shall be prepared by the board or boards of commissioners or at their instance or by the general hospital with which an agreement has been made as the case may be which plans and specifications must be submitted to the Secretary of Health of the Commonwealth The cost of the preparation of such plans shall be paid by the county or counties so joining Upon the approval of said plans and specifications by the Secretary of Health of the Commonwealth any county or joint county contagious disease hospital may be constructed and equipped in the same manner that any other county buildings are constructed and equipped and in the case of a building wing or unit at a general hospital the same shall be constructed and equipped by the authorities in charge of the general hospital as may be provided in the agreement with the county or counties joining In either event the expense and cost of such erection construction and equipment and the cost of the site if any shall be paid by the board or boards of commissioners out of county funds

Section 2380 County Agreements for Joint Contagious Disease Hospitals Buildings Wings and Units Whenever the county commissioners of two or more counties or the county commissioners and the corporate authorities of any municipalities within the county decide that a hospital or a building wing or unit at a general hospital for the care and treatment of contagious diseases is necessary they shall enter into an agreement for such purposes and therein provide how and in what proportions each county shall bear the expenses incident to the construction operation and maintenance of the joint hospital building wing or unit for contagious diseases

Section 2381 County Hospital for Tuberculosis Whenever a number of citizens residents of a county equal to the number of votes cast at the last municipal election shall petition the county commissioners for the establishment of a county hospital for the treatment of persons afflicted with tuberculosis the county commissioners shall at the next municipal election submit to the voters of the county the question whether or not the county shall establish such hospital Such question shall be submitted and the vote on such question shall be counted returned and computed in the manner prescribed by the Pennsylvania Election Code

Section 2382 Power to Acquire Site If a majority of the electors voting upon such question at such election shall vote in favor of the establishment of such a hospital the county commissioners shall acquire a site for such hospital either by purchase gift or condemnation In case such site shall be acquired by condemnation the procedure for the assessment of damages for the property taken shall be as prescribed by law

Section 2383 Site and Plans Approval If a majority of the electors voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners shall after consultation with the advisory board created by the provisions of this act select a site for such hospital and shall have plans and specifications prepared for such hospital but no such hospital shall be erected until such plans and specifications and the site therefor have been first approved by the Secretary of Health

Section 2384 Construction and Equipment Any such hospital shall be constructed by contract or contracts let by the county commissioners to the lowest responsible and best bidder in accordance with the provisions of this act and when so constructed the hospital shall be equipped by the county commissioners at the cost of the county in the same manner as other county buildings are equipped

Section 2385 Increase of Indebtedness The county commissioners of every county establishing a hospital for tuberculosis as proveded for in this act may incur or increase the indebtedness of the county in accordance with the Municipal Borrowing Law to an amount sufficient to pay the cost of acquiring a site and of erecting constructing and equipping the said hospital The county commissioner shall levy an annual tax in an amount necessary to pay interest and sinking fund charges upon such bonds

(k) Morgues

Section 2390 Authority to Provide Approval The county commissioners of each county may upon presentment of two successive grand juries of the county buy or lease land and construct and maintain thereon at the expense of the county a morgue for the reception and care of the bodies of all unclaimed deceased persons upon whom it may be necessary to hold a coroner's inquest and such other bodies as the coroner of the county may by written order direct to be received therein The location of such morgue shall be determined by the county commissioners subject to the approval of a judge of the court of common pleas and the coroner of the county

Section 2391 Rules and Regulations Employes The coroner of each county having a morgue shall make general rules and regulations for its government and control and shall appoint suitable persons not exceeding three in number to have charge of the Same The number and salary of such employes shall be fixed by the salary board

Section 2392 Ambulance The county commissioners may purchase and maintain an ambulance or other proper vehicle for the removal of bodies to and from said morgue and for the burial of unknown unclaimed bodies and the costs thereof shall be paid from the funds of the county

Section 2393 Private Morgues Where no county morgue is maintained the coroner may remove bodies coming within his jurisdiction to a private morgue within the county the cost thereof to be paid from the funds of the county according to rates established by the salary board thereof

(l) Garbage and Refuse Disposal Plants and Incinerators

Section 2396 Land and Buildings for Garbage and Refuse Disposal Any county may acquire by gift lease purchase by current revenues borrowing or incurring indebtedness or eminent domain real property within said county for the purpose of erecting thereon garbage disposal facilities and shall have power to erect and maintain suitable buildings for such facilities and for incinerating furnaces to be operated by the county as provided in article nineteen of this act In every case of taking private property by eminent domain the county shall acquire the entire

title either in fee or otherwise held by the owner or owners of the property of any interest therein

Article XXIV

Eminent Domain and Injury to Property

Section 2401 Eminent Domain County May Enter Upon Land Et Cetera In all cases where the power of eminent domain is conferred upon the county by law the county may enter upon appropriate take injure or destroy private lands property or material

Section 2402 Certain Property Not to be Taken by Eminent Domain The power conferred by this article shall not be exercised to enter upon appropriate take injure or destroy any church property graveyard or cemetery

Section 2403 Right to Entry to Make Preliminary Surveys For the purpose of making all necessary preliminary surveys in order to prepare plans and estimates the board of commissioners and the persons by them employed for such purposes may enter upon private or public property and designate by proper marks upon the ground the line of any improvement proposed to be made and constructed under and for the purposes herein authorized

Section 2404 Right of Damages The right to damages against counties is hereby given to all owners or tenants of land property or material appropriated injured or destroyed by the county in cases where the right of eminent domain has been exercised and to all owners or tenants of lands property or material abutting on or through which pass roads or highways injured by the laying out opening widening vacating extending or grading of such roads or highways or the changing of the grades or lines thereof the construction and the vacation of bridges piers and abutments and approaches therefor and the onstruction of sewers over upon or through such lands or property

Section 2405 Agreement of Damages The county commissioners may agree with the owner as to the amount of damages occasioned to any person for property taken injured or destroyed Such damages shall be payable by the county out of the general county fund or other funds provided for that purpose

Section 2406 County to Furnish Bond When Immediate Possession is Desired Notice (a) Whenever the board of commissioners or the board of commissioners in conjunction and acting with the corporate authorities of any city borough town or township have selected any land property or material to be appropriated injured or destroyed by the right of eminent domain and desire immediate possession thereof and are unable to agree with the owner or owners upon the amount of damages due them for such appropriation injury or destruction or by reason of the absence or legal incapacity of such owner or owners no such agreement can be made they shall tender a bond to the said owner or owners or to the attorney or agent of any absent owner or to the guardian or committee of any one under legal incapacity in sufficient sum to secure him or them for damages Upon acceptance of said bond by the owner or owners of said land property or material the county shall have the right to immediate possession thereof

(b) In case there is no acceptance of said bond by the owner or owners the board of commissioners after written notice thereof has first been given to said owner or owners his or their agent attorney guardian or committee shall file the same in the court of common pleas or with any judge thereof and upon approval thereof by said court or judge the county shall have the right to immediate possession of said land property and material

Section 2407 Writ of Habere Facias Possessionem to Issue If the owner lessee or occupier shall refuse to remove his personal property therefrom or give up possession thereof the petitioner in the proceedings may serve written notice upon such owner lessee or his agent or the occupier to remove hispersonal property therefrom and occupier to remove his personal property therefrom and within thirty days from the date of the service of said notice

If the owner lessee or occupier of said lands property or material shall refuse or neglect to remove his personal property therefrom and give possession thereof upon proof of the service of such notice being filed in the office of the prothonotary for the county in which said lands buildings or other property is located a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the party entitled thereto possessions as is provided for by existing laws

Section 2408 Appointment of Viewers (a) In case the board of commissioners or a majority of them and the parties interested in the land property or material appropriated injured or destroyed by the county fail to agree upon the compensation to be made for the land property or material so taken injured or destroyed upon petition of such commissioners or a majority of them or any person or parties interested and whose land property or material is affected thereby to the court of common pleas of said county the said court shall appoint three viewers from the county board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet and view the land property or material to be so appropriated injured or destroyed

(b) The said viewers shall give at least ten days' notice by publication in one newspaper of general circulation in the county once and in accord with the provisions of section one hundred and ten of this act of the time and place of their first meeting and shall also give notice thereof by handbills posted in conspicuous places in the vicinity of the said proposed public improvement

(c) All the viewers shall act unless prevented by sickness or other unavoidable cause but a majority of the viewers may hear determine pass upon and report all matters relating to the view for which they were appointed

Section 2409 Time of Appointment of Viewers Cost (a) The viewers provided for in the preceding section may be appointed either before or at any time within six years after the entry upon taking appropriation or injuring of said land property or material

(b) The cost of said viewers and all court costs incurred including all advertising and notices in connection therewith shall be paid by the county except that when the right of eminent domain has been exercised by the county acting with the corporate authorities of any city borough town or township then all costs shall be borne equally by the county and city borough town or township

Section 2410 Petition for Appointment of Viewers to Specify Liens on Property In all proceedings hereafter instituted for the condemnation and appropriation of land and property by eminent domain the petition for the appointment of viewers shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 2411 Testimony and Evidence Concerning Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the courts of the Commonwealth and the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by oral or documentary evidence shall be conclusive upon the parties thereto

Section 2412 Procedure Rights and Liabilities Where Liens Exist When it appears that liens exist which are liens upon property sought to be condemned and appropriated a report of the facts found shall be made to the court Such report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule When the court has finally determined the findings in relation to the liens the court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens then to the owners of the property appropriated as aforesaid The parties interested shall have the right of appeal from said order of distribution to the Superior and Supreme Courts Payment

in accordance with the order of distribution evidenced by a receipt of record in the proceedings shall absolutely discharge the party making the payment from all liens by any person copartnership association or corporation as against said property In such receipt and on the record thereof any claimant may reserve the right to proceed against any other property or assets of the owner of the property condemned for any balance due upon his lien

Section 2413 Proceedings by and Before Viewers The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land property or material to be appropriated injured or destroyed shall hear all parties interested and their witnesses and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said lands or materials in consequence of the proposed improvement shall estimate determine and assess the damages for the land property or material taken injured or destroyed and to whom the same is payable and the benefits if any in connection therewith Having so estimated determined and assessed the damages and benefits they shal prepare a schedule thereof and give notice to all parties to whom damages are allowed or against whom benefits are assessed of a time not less than ten days thereafter and of a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence

Section 2414 Notice of Meeting Notice of the time and place of said meeting shal be given in the manner provided by law for the service of summons in a personal action upon all parties allowed damages and against whom benefits have been assessed as shown by said schedule if the said parties can be found in the county or upon an adult person if any residing upon the property affected in case the owner or reputed owner cannot be found and to all others by publication in the newspaper or newspapers in which the first notices of said view were published When no service is made upon the owner reputed owner or upon an adult person residing upon the property affected said notice where publication thereof has also been made shall be deemed to have been properly served if tacked or conspicuously posted on the premises The court may provide by whom the notice provided by this act shall be posted given and served and fix the compensation for said service

Section 2415 Plans of Properties Condemned To Be Furnished To Viewers In all proceedings to assess damages for the taking injury or destruction of private property for public use the county taking injuring or destroying property for said purpose shall furnish the board of viewers with a correct plan of all properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all highways running through or abutting on said properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the property and all other parties affected thereby without charge

Section 2416 Report to Court After making whatever changes are deemed necessary the said viewers shall make report to the court showing all the damages allowed and benefits assessed in each case and file therewith a plan showing the improvement and the land properties and materials taken injured or destroyed When said report is filed notice thereof shall be given by publication once in the newspaper or newspapers in which first notices of said view were published Said notice shall state the date of filing of the report and shall contain a schedule of the damages and benefits shown therein and shall further state that unless exceptions thereto are filed within thirty days from the date of filing the said report will be confirmed absolutely

Section 2417 Certain Testimony Authorized In all proceedings arising from the exercise of the right of eminent demain it shall be competent for all witnesses called when duly qualified

(1) To state in detail and costs all the elements of the property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(2) To state in detail and costs all of the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(3) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantages or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(4) In all proceedings to assess damages or benefits for the opening of any road or highway to take into consideration as one of the elements of advantage or disadvantage the cost of highway improvements

Section 2418 Value of Property In all claims for damages against a county arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence the value of the property affected as assessed for the purpose of taxation

Section 2419 Unlawful Assessments In all cases of appropriation of land for public use other than for roads or highways it shall be unlawful to assess any portion of the damage done to or value of the land so appropriated against the other property adjoining or in the vicinity of the land so appropriated

Section 2420 Vacation of Road When No Property Is Taken Whenever viewers are appointed to vacate any road or highway and the vacation of the same takes no land from the owner abutting thereon if in the opinion of the viewers such vacation damages the property of the abutting owner they may award damages to such owner as though land has been actually taken

Section 2421 Procedure When Building is on Line of Proposed Road Whenever in locating relocating opening widening straightening or extending any road or highway or parts thereof the same shall be found to pass through take or injure buildings barns or other valuable improvements thereon the said viewers or a majority of them shall have the right to recommend that such buildings and improvements situate in part or in whole on the road or highway so to be improved opened widened straightened or extended shall be permitted to remain thereon for such time as shall be deemed wise and proper and if the court shall approve the finding and report of said viewers or a majority of them the owner or owners of such buildings or improvements may continue to use and enjoy the same during the time so fixed and determined In case of the destruction vacation or abandonment of any such building within the time they are so authorized to remain such owners or owner shall not have the right to re-erect and reconstruct or retake such buildings or improvements within the line of said road or highway

Section 2422 Time Limit for Report of Viewers Viewers appointed to assess the damages and benefits due to the appropriation injury or destruction of land property and materials shall make their reports within a time which the court shall fix when so appointing them If the viewers so appointed shall for any reason appearing sufficient to the court be unable to file their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 2423 Exceptions to Report Upon the report of

said viewers or any two of them being filed in said court any party interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same "confirmed isi" and in case no exceptions are filed thereto within said thirty days he shall enter a decree (as of course) that said report is confirmed absolutely Within thirty days after the confirmation modification changing or correcting of said report any interested party may appeal from said decree to the Superior Court as the case may be

Section 2424 Demand for Jury Trial Within thirty days after said report is filed in court as aforesaid such county and any party whose property is taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury according to the course of the common law The court of common pleas shall within thirty days order what notices shall be given in connection with any part of said proceedings and make all such orders as it may deem requisite and may by rule or otherwise prescribe the form of the pleadings After verdict and final judgment either party may have an appeal to the Superior Court or Supreme Court as in other cases

Section 2425 Payment of Damages and Costs Interest on Awards All damages agreed upon or awarded and all costs and expenses incurred shall be paid by the county except in cases where an appeal is taken by any party in interest from the award of the viewers and the appellant does not recover any greater amount than the viewers award in which case the appellant shall pay all costs of such appeal

The amount of damages allowed in a report of viewers for the taking injury or destruction of property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per cent per annum from the date of the final decree

Section 2426 Collection of Awards Upon the final confirmation of the report of the viewers the party or parties to whom an award has been made shall have the right to take such further appropriate legal proceedings as may be neessary and proper to enforce payment of said confirmed award either in nature of a writ of mandamus execution or otherwise

Section 2427 Title to Vest Upon Payment of Award Upon payment of the compensation for land or property in accordance with the order of distribution title to such land or property shall vest in the county in accordance with provisions of the law under which the appropriation is made and all claims for compensation shall be deemed paid and satisfied

Section 2428 Money To Be Paid Into Court In Case of Adverse Claims (a) If any person or persons shall claim adversely to each other any estate or interest in the land property or materials selected by the board of commissioners to be appropriated injured or destroyed for the purposes mentioned in this act and the viewers shall not be able to determine who are the owner or owners of said land property or materials or the value of their estates and interests therein they shall so report valuing the land property or materials as a whole and upon the confirmation by the court of the report of said viewers if no appeal shall be taken therefrom the commissioners of the county shall pay into the court the whole of the said valuation money thereupon the title of the land property or material and the estates and interests of all the owners thereof shall become vested in fee in the county acquiring ahd taking said land property or materials

(b) The court of common pleas shall by rule process or motion require all said claimants to appear therein and may be an issue framed between them to be tried by a jury or by a referenc to a master or by such orders and decisions as shall appear to be just under all the circumstances of the case determine the estates and interest of said claimants in said valuation money Upon the final determination of such proceeding the court shall direct said valuation money to be paid to the person or persons ascertained to be entitled thereto

Section 2429 Appeals by Adverse Claimants (a) In case any of said claimants shall appeal from the award of said viewers the county commissioners upon filing in the court and having approved thereby a bond in double amount of said award to the said owners and claimants for the benefit of the persons owning said land property or materials with at least two sufficient sureties conditioned for the payment by the county of such an amount as the owner or owners shall be entitled to receive for said ground when the same shall have been finally ascertained by due course of law may lawfully enter upon and take possession of said land property or materials

(b) The said court shall thereupon proceed to determine the estates and interest of said claimants in said land property or material as is hereinbefore provided when the valuation money is paid into court Said proceeding shall be finally determined before the issue framed upon the said appeal shall be tried and if it be determined that the party appellant has no estate or interest in said land property or materials his appeal shall be disallowed

Section 2430 Payment Into ourt When Award is Refused or When Parties Cannot Be Found Any amount of money awarded as herein provided if refused by the person or persons entitled thereto or if the person or persons entitled thereto cannot be found shall be paid into court and thereafter all such persons shall look to said fund for all damages accruing by reason of the appropriation injury or desruction of such land property or material

Section 2431 Notice to Vacate Ejectment In case any land or property selected by the board of commissioners or by the board of commissioners in conjunction and acting with the corporate authorities of any city borough town or township to be appropriated injured or destroyed and said land or property has improvements thereon in the actual occupancy of any person or persons and such person has had his her or their damages assessed and paid thirty days' notice to vacate the same shall be given to the party or parties so in actual possession In case of refusal or neglect on the part of any one to obey said notice the board of commissioners may at the expiration of said thirty days be entitled to a writ of Habere Facias Possessionem or may enter upon and eject or cause to be ejected any of the parties so refusing or neglecting to vacate and use force enough by themselves agents or employes to accomplish the same

Section 2432 Appropriations of Right of Way or Easement In any action brought to ascertain or recover damages caused to any owner of lands by reason of the appropriation of a right of way or easement in such lands by any county where such owner of lands and such county cannot agree upon the amount of damages payable to such owner the parties may by agreement waive the right to have such damages assessed by viewers Such owner may thereupon file his statement and claim in the court of common pleas and rule the defendant to plead thereto within twenty days from notice of such rule duly served upon said county and the said suit shall be proceeded with the same as if an award of viewers had been filed and an appeal had been taken therefrom

Either party to such action shall have the right during the trial to demand and have the jury which may be selected to try said cause visit and view the premises over or through which the right of way or easement extends before rendering a verdict in such case

Section 2433 Discontinuance of Proceedings by County In case the county shall discontinue any proceedings taken providing for the appropriation injury or destruction of any land property or materials prior to the entry upon taking or appropriation thereof and before judgment therein the said county shall not thereafter be liable to pay any damages which have been or might have been allowed but all costs upon any such proceedings had thereon shall be paid by the county together with any actual damages loss or injury sustained by reason of such proceeding and the amount of the same may be deter-

mined and fixed by the court in which such proceeding was pending

Article XXV

Recreation Places

Section 2501 Acquisition of Land and Buildings for Recreation Places (a) The county commissioners may in any county designate and set apart for use as public parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools agricultural fairgrounds or other indoor or outdoor recreation centers all of which shall hereinafter be referred to as recreation places any lands or buildings owned by such county and not dedicated or devoted to other public use They may also designate and set apart any such land or buildings for the enlarging or extending of any such recreation places

(b) The county commissioners may also acquire for use as any such recreation place or the extension or enlargement thereof lands or buildings by gift purchase or the power of eminent domain They may also lease lands or buildings within the county for temporary use for any such purpose

(c) The exercise of the power of eminent domain shall be in accordance with the provisions of this act The power to acquire lands or buildings by gift or purchase shall not extend beyond the limits of the particualr county except upon the consent of the adjoining county and municipality or township which would be affected thereby

Section 2502 Construction Equipment and Maintenance General Powers The county commissioners of any county may build alter extend enlarge manage supervise equip ornament operate and maintain recreation places and may vest their authority to do so in any existing body or board or in a park board recreation board or fair board any of which may be established by the county commissioners of any county except a county of the second class for any or all of the aforesaid purposes functions and places as the county commissioners may determine For the purpose of carrying out the provisions of this article the county commissioners or any body or board vested with their authority may employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper The number and salary thereof to the extent that such salary is paid from the funds of the county shall be determined by the salary board All such recreation places shall be kept in good order and repair

Section 2503 Fair Park and Recreation Boards If the county commissioners of any county shall determine that the power to supervise any or all recreation places shall be exercised by a park board or recreation board or fair board they may establish in said county such fair board park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the respective county commissioners in the management supervision operation and maintenance of such recreation places Any such boards when established shall consist of not less than five persons The members of such boards shall be appointed by the commissioners of the county and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the terms of all the members shall not expire in the same year Members of such board shall serve without pay Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 2504 Officers of Board The members of a fair board park board or recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may with the consent and approval of the county commissioners employ such persons as may be needed as provided by this article Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction

Section 2505 Joint Action Any county authorized by this article to acquire property for and operate and maintain any recreation places may acquire property in the manner provided in this article for such purposes and operate and maintain the same jointly with any other county or any city borough township or school district

Section 2506 Indebtedness The county commissioners may issue bonds in accordance with the Municipal Borrowing Law for the purpose of acquiring lands or buildings for recreation places and for the construction extension enlargement alteration or equipment thereof

Section 2507 Payment of Expenses Taxation Annual Fairs State Contributions (a) All expenses incurred in the operation of such recreation places established as herein provided shall be payable from the treasury of such county The county commissioners may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in the county for any or all of the purposes authorized in this article including debt service upon bond issues authorized herein

(b) The county commissioners or the fair board if there be one may provide for and hold an annual fair or agricultural exhibition on the fairgrounds acquired or maintained as aforesaid and may accept aid or contributions from the Commonwealth under any act of Assembly for the payment of premiums at any such fair or exhibition

Section 2508 Park Buildings The commissioners of any county shall have exclusive power to lease all houses cottages and buildings within the park limits which may be let without prejudice to the interest and purposes of the park and to collect the rents and other considertions including license fees provided therefor

Section 2509 Use of Receipts All rents license charges and fees all fines proceeds of sales and profits of whatsoever kind to be collected received or realized from said recreation places and buildings in any county shall be paid into the county treasury Moneys or property given or bequeathed to the county commissioners upon specified trusts shall be received and receipted for by the county treasurer and held and applied according to the trusts specified

Section 2510 Damages Forfeiture of Leases Any person violating any rules and regulations adopted for such recreation places shall be further liable to the full extent of any damage by him or her committed in trespass or other action and any tenant or licensed party who shall violate any rules and regulations or any of them or consent to or permit the same to be violated on his or her or their premises shall forfeit his or her or their lease or license and shall be liable to be forthwith removed by a vote of the county commissioners Every lease and license shall contain a clause making it cause of forfeiture for the lessee or party licensed to violate or permit or suffer any violation of any such rules and regulations

Section 2511 Employes Police For the purpose of performing all necessary duties relating to the establishing making enlarging extending and maintaining public parks and for enforcing the rules and regulations ordained or resolved by the county commissioners or by any body or board of control where no penalty or fine is involved the county commissioners of the county are hereby authorized to employ or appoint and equip proper persons to do all necessary and proper work connected therewith including police or guard duty

Section 2512 Duty of Police It shall be the duty of the police or guards appointed to duty in any recreation places without warrant forthwith to arrest any offender against the rules and regulations ordained or resolved by the county commissioners that they may detect in the commission of such offense and to take the person so arrested forthwith before a magistrate alderman or justice of the peace having competent jurisdiction

Section 2513 Commissioners May Hold Property in Trust Where the owner or owners of any real property

with or without improvements thereon adapted to the use or purpose of public agriculture fairs or exhibits are willing to convey or devise said real property to the county wherein located to be held in trust for the citizens and inhabitants of the county the county commissioners may take title thereto and hold such real property in trust for the benefit of the citizens and inhabitants of the county

Section 2514 Contributions for Additional Improvements The county commissioners of any county may receive and accept contributions in buildings or materials for additional improvements on the real property conveyed or devised and held in trust as hereinbefore provided

Section 2515 Leases for Agricultural Fair The county commissioners may lease real property so conveyed or devised to any incorporated agriculture association willing and financially able to manage said premises on condition that said premises will be used annually for agriculture fairs and exhibitions without any liability on the part of the county and with no expense to the county Upon failure of any lessee to comply with terms of any lease the county shall retake possession of the leased property

Section 2516 Power of Sale If for a period of five years no public use of said real property as contemplated by the grant or gift to the county is made the county commissioners may sell real estate on petition to the court of common pleas as provided by this act for the sale of county real property

Article XXVI

Bridges Viaducts and Culverts

(a) General Authority and Procedures for Providing Bridges

Section 2601 Authority to Provide Bridges Viaducts and Culverts Definitions Application of Article (a) The county commissioners of any county may locate lay out open construct reconstruct widen straighten extend otherwise alter replace remove and in all other respects provide for bridges and viaducts over streams and other topographical impediments to public traffic as parts or adjuncts of the roads withi nthe county for vehicles and pedestrians or for pedestrians only and culverts within the county or partly within and partly without the county in accordance with the procedures and requirements established by the provisions of this article The provisions of this section and of this artic e shall apply equally to all necessary approaches abutments slopes walls embankments fills piers and other things pertaining to bridges viaducts and culverts as to the bridges viaducts and culverts themselves

(b) As used in this article "streams" includes streams rivers creeks ponds lakes and all other such natural waters "road" includes roads streets highways lanes alleys and all other such public thoroughfares and "bridge" shall for the purpose of convenience include the bridges provided for in this article and also the viaducts and culverts and all things pertaining to such bridges viaducts and culverts wherever such meanings may reasonably be intended

(c) The provisions of this article shall not apply to any matters relating to such county bridges viaducts or culverts as are covered and to the extent they are covered by the provisions of the State Highway Law or of any other law vesting in the Secretary or Department of Highways and the various counties of the Commonwealth rights powers and duties The terms of the foregoing limitation shall apply as well in the case of the Public Utility Law and the Public Utility Commission

(d) No county shall in the exercise of any authority or duty conferred in this article enter upon any road or property of any city or borough of or adjacent to the county or act in derogation of the lawful authority of any such political subdivision except with the proper consent of such political subdivision

(e) No bridge provided for by this article shall obstruct any canal or railroad and nothing in this article shall be deemed to release any railroad or other public utility from the requirements of existing law

Section 2602 Maintenance and Repairs Every county bridge provided for by this article shall be maintained and kept in repair by the county or counties involved except as may be otherwise provided by agreements between or among such county or counties and other political subdivisions or other persons as to the costs of such maintenance and repairs

Section 2603 Acquisition of Real Property In the exercise of the authority hereinbefore granted by this article the county commissioners may purchase in accordance with the provisions of this act take by gift or acquire by the power of eminent domain real property of all kinds whether devoted to a private or a public use in the manner provided by law

Section 2604 Plans and Surveys for Bridges and Viaducts Petition to Quarter Sessions Whenever the commissioners of any county resolve to provide a bridge or viaduct pursuant to this article they shall cause to be prepared plans and surveys showing the location of the proposed structure its approaches and the property or rights of property affected thereby together with any roads in any city borough incorporated town or township proposed to be used in connection therewith They shall present the same together with their petition to the court of quarter sessions praying for an order approving exercise of the said authority to locate lay out open and construct such a bridge Such petition shall briefly set forth the location and the estimated cost of such bridge or if the method of construction has not been fully determined the estimated cost thereof for each alternative method of construction proposed

Section 2605 Hearing and Decree (a) Upon the filing of any such petition the court shall fix a time for the hearing of the same Notice of the time place and purpose of said hearing shall be given by an advertisement published once a week for three successive weeks in at least one newspaper of general circulation in the county and by at least five handbills posted in convenient places along or in the neighborhood of the proposed bridge and its approaches or otherwise as the court shall direct

(b) Upon the hearing thereof the court may for proper cause shown disapprove said petition as submitted or approve or disapprove it as modified in such respects as shall not appear to the court to require further advertising otherwise it shall make an order approving the location and the plans and surveys for such bridge and authorizing the county to construct such bridge and to let the necessary contracts therefor under specifications to be prepared by the county engineer or other proper county authority Thereupon the said bridge and its approaches shall be deemed to be laid out and opened in accordance with the surveys and plans accompanying said petition

Section 2606 Designs and Specifications Approval The designs and specifications for every such bridge contract the same together with their petition to the court of quarter sessions praying for an order approving their shall be subject to the approval of the court of quarter sessions The court shall have the right to call upon the bridge section of the State Department of Highways or to avail itself of such other qualified experts at the expense of the county as it may desire in order to determine whether the design and specifications as prepared are sufficient and proper for the construction of a bridge that if kept in good repair will safely carry the maximum load and sustain the predicable stresses during its anticipated life that such bridge is designed to carry

Section 2607 Approval of State or Federal Agencies Change in Location (a) Where a proposed bridge crosses any navigable stream or other public water or the property or right of way of any railroad or other public utility and by reason thereof the approval of any State or Federal officer board or body is required as to the location and construction of such bridge or its approaches the county shall have authority to construct the bridge in the other location and in such other manner as may be necessary to comply with the conditions prescribed by

the officer board or body in granting such approval if the county commissioners are of the opinion and so decide that the bridge as thus changed is necessary for the convenience of the traveling public and will accommodate substantially the same traveling public as the bridge would have done if it had been constructed at the location and in the manner origina.ly provided

(b) Upon the adoption of a resolution therefor and prior to the construction of such bridge and the entry upon and taking of property for that purpose the county commissioners shall present a petition to the court of quarter sessions briefly setting forth the facts as to the obtaining of such approval the change made in consequence thereof and the adoption of such resolution together with plans and surveys showing the new location and the manner of construction if changed and estimate showing the cost of the construction of such bridge as thus changed and if the proceeding shall appear to be regular the court shall make an order fixing a time not less than twenty days thereafter for the filing of exceptions thereto

(c) Notice of the time and place of hearing on said exceptions shall be given as provided in section two thousand eight hundred five of this act or otherwise as the court shall direct having regard to the circumstances of the case Upon the hearing thereof the court may for proper cause shown disapprove of said petition Otherwise it shall make a decree authorizing and empowering said county to construct such bridge in accordance with the new plans and surveys Such bridge shall thereupon be deemed to have been laid out and opened in accordance with such plans and surveys The designs and specifications sha l be subject to approval as hereinbefore provided

Section 2608 Materials Taken From Adjoining Lands The contractor or the county commissioners in building any bridge may enter upon lands and enclosures near the place where such bridge is to be built for the purpose of searching for and procuring the materials necessary for the construction of the bridge when the materials cannot conveniently be obtained by contract at reasonable prices In exercising such right the contractor or county shall do no unnecessary damage to the land and shall repair any breaches of fences which it shall make If the contractors or the county commisisoners and the owner of such materials cannot agree upon the sum to be paid for the damages which may be done by the taking of such materials such damages shall be ascertained and awarded as in the case of eminent domain proceedings

Section 2609 Inspection and Approval Every bridge provided by any county by contract or otherwise shal upon completion be subject to approval by the court of quarter sessions of the county Such approval shall not be given until the court is satisfied that the bridge was constructed in conformity with the designs and specifications therefor The court may determine the means by which it satisfies itself as to the conformity of the bridge with the approved designs and specifications Such means may include any or all of the following and any other suitable means that may be determined by the court A requirement that an affidavit be filed with the court by a'l contractors engaged in such bridge construction that all work has been done in conformity with specifications in cases where the bridge is small and the cost low and the court is satisfied as to the reliability of such contractors a requirement that a county inspector certify to the construction of such bridge according to design and specifications a requirement that specified tests be made at the expense of the county by qualified experts appointed by the court to ascertain whether such bridge has been constructed in conformity with designs and specifications and such other suitable means as may be determined by the court

Section 2610 Payment Upon Approval Disapprovals If the court finds such bridge to have been constructed in conformity with the designs and specifications therefor the court shal' approve the bridge and the commissioners shall thereupon complete any payments remaining due on such contract according to its terms If the court finds that such bridge does not conform to the designs and specifications therefor the points of variance from such designs and specifications shall be corrected by the contractor and the moneys remaining unpaid by the county on such contract shall be withheld until the court is satisfied that the bridge has been constructed in conformity with such designs and specifications and approves thereof or until judgment is entered regarding the same by a proper court as a rlesut of actions on the contract or on bonds given thereon as a consequence of such nonconformity When the bridge has been built by county emp oyes and the court finds it is not in conformity with designs and specifications the nonconformities shall be corrected if the court deems it necessary

Section 2611 Authorization to Contract with City or Borough for Sharing of Certain Costs When any bridge is proposed to be located in any city or borough the county may enter into an agreement with such city or borough providing that the city or borough shall bear a portion of the cost of the location laying out opening construction and maintenance of such bridge or that the city or borough shall provide or maintain the approach thereto within the city or borough or bear the costs of property damages of said approach Every such agreement shall be entered into in writing and at least one executed copy thereof sha'l be furnished to each party thereto Every such bridge shall be a county bridge and the duty of maintaining the same except as otherwise herein provided shall devolve upon the county The expense thereof shall be provided out of any county funds authorized for use in the maintenance of county bridges

Section 2612 Bridges on Boundary between two Counties (a) Whenever any bridge provided for by this article is on the boundary line between two counties or within one-fourth of a mile therefrom and necessary for the accommodation of the inhabitants of both counties the commissioners of such counties shall act joint'y in the exercise of all powers conferred upon them and in the performance of all duties imposed upon them Whenever a petition of residents or taxpayers is required such petition shall be made by the required number of petitioners in each county to the court of quarter sessions or the court of common pleas as the case may be of their county Whenever any other petitions are required such petitions shall be made to the proper court or to the county commissioners as the case may be in each of such counties Each of the courts and each of the boards of county commissioners as the case may be shall act on such petitions and sha l communicate its approval or disapproval to the other court or board

(b) Whenever the appointment of viewers or inspectors is required the court of each county shall appoint a full member of such viewers or inspectors and order a view in like manner and with like powers duties and procedures provided for in the case of public roads The total number thereof shall act together in the view or inspection and shall make their joint report and recommendations to each court Exceptions to the report of viewers may be filed in and appeals therefrom made to the court of either county in which case the courts of the two counties sitting together shall hear and determine the same

(c) Whenever publication of notice is required such publication shall be made in each county The approval of both boards of commissioners and of both courts shall be necessary in order to authorize any action requiring such approval

(d) Whenever the procedure provided in Article XXIV of this act is to be followed such procedure shall be carried out only in and by the county in which the lands other property or materials entered upon taken or damaged are located and the damages shall be paid by such county only

(e) Any such bridge shall be a joint county bridge All costs and expenses pertaining to such bridge and the maintenance thereof shall be borne by the two counties

jointly in such proportions as shall be agreed upon from time to time by the commissioners thereof

Section 2613 Joint County Bridges on Line of Highway (a) Whenever roads are laid out altered or vacated which form or are intended to form a continuous highway from one county to another and which cross a stream and in such laying out altering or vacating it becomes necessary to vacate an existing bridge and construct a joint county bridge on a different site the same viewers who view the laying out altering or vacating of the road shall at the same time have the authority to locate a new joint county bridge on the route of the road as laid out altered or vacated and the report on the road and the joint county bridge shall be made in the same report and shall be returned to each of the courts as soon as said report is completed if in the petition for the view of the road there is contained a request for relocation of said point county bridge

(b) Before any such road and joint county bridge shall be finally confirmed by the court the report shall be confirmed nisi by the courts of each county and shall become absolute in thirty days unless exceptions thereto are filed in the manner provided by law If exceptions are filed the courts shall hear said exceptions and make a final decree either confirming said report or setting it aside as provided by law in similar cases

(c) Any such bridge when authorized shall be erected constructed maintained and kept in repair in the manner hereinbefore provided for bridges erected on the line of adjoining counties

Section 2614 County Commissioners may Purchase Bridges Already Erected Whenever in accordance with the provisions of this article a county is authorized to erect a bridge and instead of building a new bridge the county commissioners can purchase any bridge already erected at a reasonable cost they may with the approval of the court of quarter sessions make such purchase upon the recommendation of viewers Such viewers shall in their report file an estimate of the actual value of such existing bridge or the cost at which said bridge could be built The amount expended by the county commissioners for such purchase shall not exceed the estimate filed by the viewers

Section 2615 Rebuilding Privately Owned Bridge The commissioners of any county may take charge of or rebuild any bridge suitable for public traffic within the county and abandoned by the owners thereof If the commissioners of the county shall neglect or refuse to act as herein provided then upon petition to the proper court of common pleas of fifty property owners being taxpayers residing in the city borough or township in which such bridge was or is located said court may issue a writ of mandamus to said commissioners to proceed in the acquisition and rebuilding of such bridge if the same appear necessary to public traffic within the county Such petition shall set forth fully all the pertinent facts and shall be supported by the affidavit of five of said petitioners

Section 2616 Acceptance of Bridge Donated to County (a) The commissioners of any county may accept take charge of and enter upon the records as a county bridge within the county which has been built at the expense of private persons or by public subscriptions and has been opened to free public travel used by the public and become necessary and convenient for the use of the public upon notice in writing of the persons who built it or of the subscribers to the original subscription one which the money was raised to build the same or the heirs or assigns of such persons or subscribers or of a duly authorized board of trustees representing such persons or subscribers that they desire to give the bridge to the county in which it is located

(b) Before said bridge is accepted by the county commissioners the question of its necessity shall be determined in the following manner The county commissioners shall at the next term of the court of quarter sessions after receiving said notice present the question to said court and petition for the appointment of three viewers in like manner and with like power duties and procedures provided for in the case of public roads If the report of said viewers shall state the necessity of such bridge the court shall upon approval thereof direct that the commissioners enter the bridge upon the records as a county bridge

(c) All costs shall be paid out of the treasury of the county The owner of said bridge shall pay into the county treasury such costs as the court by order may direct and the county commissioners may require the owners of said bridge to file together with their notice a bond sufficient to secure payment of the costs

(b) Special Authorities and Procedures

Section 2630 Widening Straightening Altering or Changing Course of Unnavigable Streams for Protection of County Bridges and Highways Whenever in the construction repair or maintenance of any county bridge or highway it becomes necessary for the safety of said bridge or highway or economically advisable to widen straighten alter protect or change the course of any unnavigable stream it shall be lawful for the county to enter upon abutting or adjacent land and to widen straighten alter protect or change the course of such stream for such purposes and in connection with such entry to take injure and destroy any necessary land or property in the manner and subject to the restrictions and procedure provided by law

Section 2631 Providing and Maintaining Dykes Banks Causeways and Sluiceways for Protection of Bridges and Highways Any county for the purpose of protecting any county bridge the abutments thereof and approaches thereto and any public highway adjacent to the same from the incursions of the tide floods or waters of any stream and to prolong the life of any structure may provide and maintain dykes banks causeways and sluiceways over or across any unnavigable stream and may secure a right of way for proper ingress thereto and egress therefrom In connection with the exercise of such authority the county may take injure and destroy any necessary land or property in the manner and subject to the restrictions and procedure provided by law No change in an existing stream channel under the provisions of this subdivision shall be undertaken until it has been approved by the Department of Forests and Waters

Section 2632 Lighting of County Bridges Whenever considered necessary for the safety and convenience of the traveling public the county commissioners may provide any county bridge with lights of any kind and character that they shall deem suitable and may contract with any individual or with any municipal or private corporation for the purpose of supplying the necessary light

Section 2633 Temporary Substitutes for Bridges When any county bridge is destroyed or rendered impassable the county commissioners may provide at the expense of the county ferries or other temporary ways as a substitute for such destroyed or impassable bridge until such bridge has been rebuilt or rendered fit for public travel Where such bridge shall have been maintained at the joint expense of two adjoining counties the establishment and maintenance of such ferry or temporary way shall be by joint discretionary action of the boards of commissioners of both counties and the expense thereof shall be borne by said counties in the same proportions as the maintenance of such bridge was borne before it was destroyed or rendered impassable

Section 2634 Closing Vacating Abandoning and Removing County Bridges Whenever it appears to the county commissioners that any county bridge including but not limiting to any destroyed or partially destroyed bridge has from any cause become burdensome and is no longer necessary for the accommodation of public travel they may upon approval of the court of quarter sessions close vacate abandon and remove such bridge

Section 2635 Contracts for Special Use of Bridge The commissioners of any county may enter into a contract

or lease with any street railway telegraph or telephone company or other public utility their successors or assigns desiring to use a county bridge and its approaches for other than ordinary public foot or vehicular traffic for the concurrent use of such portion of said public bridge and approaches as will not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon and may charge tolls or rentals for such special use No such contract or lease shall be entered into for a longer period than twenty years nor shall any such contract or lease be entered into unless approved by the Public Utility Commission or become effective except in accordance with the provisions of the Public Utility Law

Section 2636 Contracts with Railroad Companies for Use Purchase Removal Replacing or Exchange of County Bridge Any railroad company whose tracks or other facilities are located upon any county bridge may contract and agree with the commissioners of the county for the use purchase removal replacing or exchange of such bridge or for the compensation to be paid to the county by said company for the use and occupancy of the bridge or such parts thereof as may be used and occupied by said company For such purpose the commissioners may contract with said company and may do all acts necessary and proper to carry out such contract effectually

All moneys due and all obligations incurred by said companies under any such contract may be collected and enforced in the same manner as debts of like amount are recovered and similar obligations enforced in the Commonwealth

Section 2637 Repair of Bridges Viaducts and Subways When Liability for Such Repairs is in Doubt Whenever any bridge viaduct or subway carrying a public highway over or under a railroad street railway or other highway in any county is out of repair and an application has been made to the Public Utility Commission to compel the repair thereof from which proceedings it appears that there is a contest between or among political subdivisions or between or among political subdivisions and public utilities as to the liability for such repair and that the cost thereof is not in dispute the petitioner or petitioners or any other person or corporation interested may forthwith apply to the commissioners of the county for the prompt repair thereof

Such application shall be made by serving upon the county commissioners a certified copy of the petition and each of the answers on file before the Public Utility Commisison After such service the county commissioners may take such steps as may be necessary to repair the bridge viaduct or subway and make it safe for public travel

Section 2638 Contributions Towards Work Should the county commissioners find it impracticable to make any or all such repairs with county funds they shall so notify the complainant in the proceedings instituted before the Public Utility Commission Thereupon any persons including the county interested in having such repairs made may contribute to a fund to be deposited with the county treasurer for the purpose of making said repairs When the fund becomes sufficient for said purpose the commissioners shall take the necessary steps to place said bridge viaduct or subway in repair and safe for public travel The repairs may be made partly from such contributions and partly from public funds if the commissioners find it expedient so to do

Section 2639 Collection of Costs of Repairs Return of Contributions The cost of such repairs shall be kept by the commissioners in an open account until there has been a final adjudication of the proceedings before the Public Utility Commission whereupon the amount so expended together with ten per centum of said amount to cover the cost of supervision of the work shall be collected as awards of the Public Utility Commission are collected and shall be paid into the county treasury Thereupon any contributions which may have been made under the provisions of the section immediately preceding shall be returned to the respective contributors

(c) Taking Over or Assisting With Township or Municipal Bridges

Section 2650 Procedure for Taking Over Bridge by County Aid to Political Subdivisions in Construction and Maintenance of Bridge (a) Whenever the construction of any new bridge or of any bridge to replace any existing bridge over a stream or over or under a railroad and forming part of any road in any city borough town or township or between any two or more such political subdivisions is necessary and requires more expense than it is reasonable that such political subdivision or any two of them jointly should bear the court of quarter sessions shall upon representation of the proper authorities of any such political subdivision or on petition of any of the inhabitants thereof order a view in like manner and with like powers duties and procedure as provided for in the case of public roads if on the report of the viewrs it shall appear to the court and to the commissioners of the county that such bridge is necessary and would be too expensive for such political subdivision or adjoining political subdivisions to bear it may at the discretion of the county commissioners be entered on record as a county bridge Such bridge shall thereupon be erected maintained and kept in repair in the same manner as other county bridges constructed under the provisions of subdivision (a) of this article

(b) If the county commissioners refuse to have such bridge entered on record as a county bridge the county may pay the entire cost or any part of the cost of constructing such bridge including damages Such bridge shall thereupon be a municipal or township bridge to be maintained and kept in repair by such political subdivision The county commissioners may at their discretion furnish such political subdivision the whole or any part of the money necessary to maintain such municipal or township bridge

(c) Where the cost to the county will not exceed one thousand five hundred dollars ($1500) the county commissioners may furnish such aid in the construction of such bridge without following the procedure herein stipulated

Section 2651 Change in Location of Bridge and Roads When such bridge is to take the place of an existing bridge the viewers may change the location thereof so that it may be located and built in the most suitable place or at the least expense or in the best manner and in the case of the change of location of such bridge they shall also report what change in the course or bed of the road to be connected therewith will be necessary and shall also report the vacation of the old or existing bridge and the vacation of such portion of the road connecting therewith as they may deem proper The viewers shall cause every such variation to be accurately surveyed and a plat thereof to be made and returned with the report Upon the approval of their report such roads shall be altered accordingly

Section 2652 Construction of Embankments and Causeways as County Improvements (a) Where a stream over which it may be necessary to build a bridge crosses a public road and the building of such bridge requires the construction of an embankment or causeway leading to either end of such bridge the erection of which embankment or causeway requires more expense than it is reasonable that one or more adjoining townships should bear the court having jurisdiction upon the representation of the township commissioners or supervisors or on petition of any of the inhabitants of such township or townships may order a view

(b) If on the report of the viewers it shall appear to the court that for the use and enjoyment of said bridge by the public it is necessarv to construct an embankment or causeway the construction of which would be too expensive for such township or townships to bear it may in the discretion of the county commissioners be

entered on record as a county improvement and constructed as county bridges are constructed

Section 2653 Contract for Parts of Municipal Bridges Where County Might Have Built Bridge (a) Where a city of the third class a borough or a township of the first class is authorized to construct a bridge or viaduct over a stream or other place over which the county is authorized to build bridges and such political subdivision is authorized to contract with the county and with railroads street railways and other companies or parties interested for the building and maintenance of such bridge or viaduct and for the payment of any damages caused by the location or building thereof the county commissioners may with the approval of the court of quarter sessions contract with such city borough or township for that part or portion of the bridge which crosses any of the places hereinbefore mentioned including the abutments and piers thereof Such part shall thereafter be maintained as a county bridge

(b) In lieu of the contract above provided for the county commisisoners may with the approval of said court contract for any part or portion of the whole structure equal to or greater than the part or portion which the county might have built

(c) The contracts provided for in this section may stipulate that the county shall pay a certain portion of the whole contract price or cost of the work including damages or may stipulate that the county shall construct or pay for the construction of a certain part of the work and may otherwise provide for the payment of the damages The amount to be paid by the county shall be paid directly to the contractor as may be provided by the contract

Section 2654 Joining with City in Another County in Building or Rebuilding Bridge When any bridge or proposed bridge is on the dividing line between two counties which is also the dividing line between one county and a city in the other county and such city has authority to build or rebuild such bridge or to join with any county therein said county may join with said city in the other county in building or rebuilding such bridge In such case the approval of the court of quarter sessions of the county so joining with a city only shall be required The cost of such bridge shall be paid in such proportions as shall be agreed upon by the county and city so joining

Section 2655 Aiding City in Constructing Bridge over Ravine or Valley Whenever different parts of any city or any part of such city and any township bordering thereon are separated by an intervening valley or ravine and the commissioners of the county in which such city is located shall decide it necessary that a public bridge to connect the territories thus separated be constructed and that such bridge will be of substantial advantage and benefit to the people of the township bordering thereon or townships adjacent thereto such county may contract with such city for the laying out and construction of such bridge by such city and may pay to the city such portion of the cost thereof as the county commissioners shall deem reasonable

Section 2656 Entry of Borough or Township Bridge on Record as County Bridge Whenever a public bridge has been built or maintained by any borough or township or both or by any two boroughs or two townships or any of them and it shall afterwards appear to the commissioners and to the court of quarter sessions that the care maintenance and responsibility of said bridge is greater than it is reasonable that the said political subdivisions should bear the commissioners with the approval of the court may enter such bridge upon record as a county bridge and it shall thereafter be a county bridge in the same manner as if it had originally been so entered on record if the proper local authorities having the maintenance supervision and control of such bridge shall tender the same to the said county commissioners free and without charge

Section 2657 Acquisition of Toll Bridges by Purchase or Condemnation (a) Upon the approval of the court of quarter sessions the county may purchase or acquire any toll bridge situated within the county which is necessary for the accommodation of public travel and on which the payment of tolls is burdensome to the traveling public together with the approaches and appurtenances thereto as herein provided

(b) The proceedings shall be commenced by petition to said court by at least twenty-five resident taxpayers of the county alleging the facts and praying that the bridge be taken over as a public bridge

(c) Upon approval of the petition by the court the commissioners of the county may purchase the bridge with the approaches and appurtenances thereto at a price to be agreed upon by the commissioners and the owner of the bridge or upon failure to agree upon a purchase price the county commissioners may take the bridge under eminent domain or condemnation proceedings as provided by law Thereafter the bridge shall be entered on record as a county bridge and shall be controlled maintained and used as a public bridge

(d) Such bridge may be freed from tolls at any time thereafter but in no event later than the time when all debt incurred as a result of the acquisition thereof is extinguished The county shall at all times have authority to charge tolls or rentals for the use thereof from railway telephone and telegraph companies and other persons or companies using such bridge for other than ordinary public foot and vehicular travel Where contracts exist between such persons or companies and the owners of such bridge such contract shall be preserved for the benefit of the county and shall be assigned thereto

Section 2658 Contracts with Municipalities for Purchase or Condemnation of Toll Bridges Where a political subdivision may purchase condemn and maintain any toll bridge crossing any stream within its limits any may enter into contracts with the county commissioners whereby the county shall pay a portion of the costs thereof the county commissioners may upon petition of at least twenty taxpayers of the county to the court of quarter sesions and the approval thereof by the court enter into such contract upon such terms and conditions as may be agreed upon for the purchase appropriation or condemnation of such bridge The contract may stiplate that the political subdivision and the county shall each pay a certain portion of the purchase price and of the damages allowed by any condemnation proceedings and may also provide for the maintenance and repair of such bridge The amount to be paid by the county shall be paid into the treasury of such subdivision and shall be applied solely to the payment for such bridge

Section 2659 Leasing of Toll Bridges or of Right to Use Same (a) Whenever a toll bridge owned or maintained by a bridge company organized and existing under the laws of this Commonwealth shall span a stream in this Commonwealth and such bridge or any portion thereof is used solely by the public for general highway purposes or by the public for such purposes concurrently with the use of the same by any railroad company or street railway company engaged as a common carrier and the commissioners of the county in which such bridge is located shall by resolution declare such bridge or any portion thereof necessary for the accommodation of the public for general highway purposes and that the payment of tolls on such bridge is burdensome to the public using the same for such purposes then the county shall have the power to enter into a contract with the bridge company whereby the company may lease to the county such bridge or such portion thereof as may be used by the public for general highway purposes for the use of the same by the public for said purposes free from the payment of tolls Such contract may provide for the payment by the county of such rental for such definite term of years not to cover twenty and for such other terms and conditions as may be agreed upon and as the commissioners shall deem reasonable and proper

(b) As an alternative the county may enter into lease with such bridge company or corporation providing for the use during a definite period not exceeding twenty

years of such bridge or any portion thereof by the public for general highway purposes from the payment of tolls during the term of such contract subject to the concurrent use of such bridge or any portion thereof by any railroad company or street railway company engaged as a common carrier and making use of such bridge or any portion thereof Such lease shall contain such terms of payment for such use by the public of the bridge or any portion thereof and such other terms provisions and conditions as may be agreed upon and as the county commissioners shall deem reasonable and proper No tolls shall be charged the public for the use of said bridge or any portion thereof for general highways purposes during the term of any such lease or any such contract Any such contract or lease shall be subject to the approval of the Public Utility Commission in the manner prescribed by law

Section 2660 Operation of Joint Toll Bridges by Counties Whenever it is necessary for any counties in the construction of any joint county bridge or in the joint acquisition of any toll bridge to issue bonds in payment of such construction or acquisition including the approaches thereto of the damages sustained by owners of lands taken in the construction or acquisition thereof and including reasonable fees for necessary legal services required in such construction or acquisition the county commissioners of said county or counties may with the consent of the State Department of Highways if the cost of such bridge was in excess of four hundred thousand dollars ($400,000) assess supervise and collect such tolls for the use of said bridge for all traffic as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same within thirty years from the date of the issue thereof and to pay also the costs and expenses of operating and maintaining such bridge between the time of construction thereof and the date of the redemption of the last of said bonds to be redeemed by such tolls The tolls so collected shall be distributed between such counties in proportion to the amount paid in by each county in the original construction or acquisition and all moneys received from rentals for special use shall be divided between them in the same proportion In no case shall any tolls be collected after the redemption of the original bonds issued Such bridge wether constructed or jointly acquired shall be a joint county bridge

Section 2661 Management Maintenance and Policing of Joint County Toll Bridges Turning Over to Department of Highways (a) Such joint county bridge shall be managed controlled maintained repaired operated and lighted by the commissioners of the said counties acting as a joint county bridge commission who are hereby authorized to act jointly in the employment of such workmen collectors of tolls and other employes to fix their wages salaries and compensation and to incur such other expenses in the construction and operation of such bridge including the compensation of such attorneys as in their judgment shall be requisite and necessary All decisions of such commission shall require a majority vote of all the members thereof

(b) The commissioners of said counties acting jointly may adopt such rules and regulations as they deem expedient for the proper government and management of said bridge and for the preservation of good order safe traffic and proper conduct thereon They may also require arrests to be made for evasion or attempts to evade in violation of their rules or regulations the payment of tolls fixed for passage over said bridge For any violations thereof the offender shall be subject to a fine of not less than ten dollars ($10) or more than twenty-five dollars ($25) together with costs upon summary conviction before a justice of the peace magistrate or alderman of either of said counties and on default of payment of such fine then to imprisonment of not less than ten days or more than thirty days in the county prison of either of said counties

(c) Such powers and duties of said commissioners acting as a joint commission shall continue until the redemption of the last of said bonds to be redeemed by such tolls whereupon said bridge shall be turned over as a free bridge to the Commonwealth if such bridge crosses a river and is located on a State highway route or connects two State highway routes Thereafter such bridge shall be maintained by the Highway Department at the expense of the Commonwealth Otherwise such bridge shall be maintained as other joint county bridges

(d) Provisions Relating to Contracts

Section 2670 Building or Repair of Bridges In addition to the provisions of Article XVIII and XXIII of this act relating to contracting for services and personal property whenever the county commissioners propose to build or repair a bridge at a cost in excess of seven hundred and fifty dollars ($750) their advertisements for bids shall contain the description of the repairs or designs of the kind of bridge required When the contract is for the building of a bridge the designs and specifications therefor or a copy thereof shall be kept in the office of the county commissioners open to the inspection of all intending bidders during such advertising and the time specified therein for the reception of bids In the case of a bridge to be erected over a stream upon the line between two adjoining counties the advertising shall be done in each of said counties and a copy of the plans and specifications shall be kept in the commissioners' office of each county The time of filing bids and the person's name with whom filed must be marked on the outside of said bids

(e) Taxation and Borrowing

Section 2675 Appropriations and Tax Levy Any county in the exercise of any of the powers authorities and duties provided in this article may appropriate and pay out of the general county funds all moneys necessary for said purposes and may levy assess and collect taxes for the purposes aforesaid on all real and personal property within the county and taxable for county purposes in addition to all other taxes

Section 2676 Incurring of Indebtedness Taxation for Debt Service Any county constructing a bridge or making any other capital improvement or major repairs in relation to the matters provided for in this article may pursuant to a resolution adopted for that purpose by the county commissioners of such county incurr indebtedness and borrow money therefor in accordance with the provisions of the Municipal Borrowing Law Any such county may levy and collect on all taxable property in such county in addition to all other taxes for the purposes of servicing such indebtedness

Article XXVII

Roads

(a) Authorization Construction and Maintenance

Section 2701 County Roads Establishment and Maintenance (a) The words defined in section 2601 of this act shall be construed to have like meanings when used in this article

(b) Establishing County Roads For the purpose of providing public roads specially constructed improved and maintained the county commissioners may upon approval by the court of quarter sessions originally lay out and open any road and take possession of and exercise control over any existing township road or part thereof and build and maintain roads as county roads within their respective limits They may at any time straighten widen extend and alter any such road or part thereof and vacate so much thereof as may become unnecessary and useless Any road so taken over or improved shall thereupon become a county road and be subject to the control and supervision of the county commissioners It shall be the duty of the county to keep and maintain county roads established under this act and all other county roads in repair the expense thereof to be paid by the county in the manner hereinafter provided

(c) Acquisition of Rights of Way of Abandoned Railroads The commissioners of any county may take over any abandoned right of way or bridge of a railroad company or any part thereof for the purpose of relocating any existing or locating a new county road and they may purchase such abandoned right of way or bridge or such part thereof as may be necessary for the relocating or locating of said county road from the owner thereof at a fair price to be approved by the court of quarter sessions of the county

Whenever any such abandoned right of way or bridge of a railroad company or any part thereof is purchased under the provisions of this section a county road shall be laid out and located thereon and shall thereafter be constructed improved and maintained in accordance with law Any such bridge so taken over shall become a county bridge and shall be maintained rebuilt and repaired accordingly

(d) Joint Action by Counties The provisions of this article may also be exercised jointly by adjoining counties as to roads extending along and adjacent to county lines and from one adjoining county into another

The procedure and jurisdiction in each county in such cases shall be the same as to any portion of such road lying within its limits except that the petition plans and surveys of such road shall describe and exhibit every portion of such road within the limits of such county and every portion thereof extending along the line of or into an adjoining county The several portions thereof lying within limits of each county shall be treated in all proceedings as one continuous road

(e) To Be County Road as Soon as so Decreed All roads and parts thereof heretofore and hereafter decreed by the court under this or any former acts of Assembly to be a county road shall be subject to the control and supervision of the county commissioners Upon the decree or order making an existing township road or part thereof a county road the same shall immediately be kept in repair made constructed and maintained by the county and the township relieved of any duty thereto as a township road

(f) Maintenance and Repair of County Roads The commissioners shall have prepared plans and estimates as often as required for the repair and maintenance of all roads which the county is required by law to maintain and repair They may invite proposals for maintaining and repairing such roads or parts thereof in accordance with such plans and estimates and award the contract therefor in like manner as contracts for new improvements or they may make the necessary repairs themselves For the purpose of making such repairs the commisisoners may employ or appoint the proper persons and buy the necessary materials and buy or rent the necessary machinery Any county may also lease any of its machinery to any political subdivision within the county upon such terms and conditions as may be agreed upon

(g) Annual Tax The commissioners may levy assess and collect an annual tax of not more than two mills upon the dollar upon all real and personal property within said county taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in the locating opening building improving widening straightening extending maintaining repairing or vacating of roads or parts thereof covered by the provisions of this section and for the taking and use of such land as may be necessary in constructing and maintaining proper slopes embankments fills and culverts The moneys so raised shall not be expended for any other purposes than those named in this section except for the maintenance repair construction and reconstruction of any county bridge or bridges whether or not located on a county road or roads All voucher checks for the payment of any portion of the money raised for the purposes aforesaid shall be issued in the manner provided by this act upon estimates which shall be made from time to time by the persons charged with such duty The amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work

(h) Borrowing Money Bond Issue and Tax Levy The county commissioners may borrow money and secure any indebtedness created by them for the purposes authorized under this section by issuing bonds in accordance with the provisions of the Municipal Borrowing Law

(i) Changing Part of Road Without View Whenever the board of commissioners deem it advisable to construct or alter part of any road under their supervision and can agree with the property owners affected by such change as to damages they may upon payment of the damages agreed upon construct or alter such part of such public road as contemplated in such agreement without the formality of a view This authority shall not extend to any construction or alteration the costs and expenses of which to such county including damages shall exceed one thousand dollars ($1000) A petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be the public road to all intents and purposes and the old location shall be vacated

(j) Assessment of Benefits Whenever in any county any road or highway shall be originally located laid out or constructed or relocated opened straightened widened extended or altered or any part thereof vacated the viewers appointed to assess damages for taking injuring or destroying property after having determined the amount of damages sustained shall assess the whole or such part of such damages as may be represented by benefits upon the properties abutting on and benefited by such improvements The remaining part of such damages if any not so assessed against the abutting properties shall be paid by the county The total assessments for benefits shall in no case exceed the total damages awarded and agreed upon

The viewers shall in such cases file their report showing the balance struck between the damages awarded and the benefits assessed

(k) Interests on Benefits Assessed All assessments for benefits shall bear interest at the expiration of thirty days after they have been finally determined and fixed and shall be payable to the treasurer of the county

(l) Liens for Benefits Assessed All liens for the assessment of benefits pursuant to the provisions of the two preceding subsections shall be filed revived and collected in accordance with law

No appeal taken shall prevent the filing of liens by any county for any assessment made by virtue of the viewers' report but upon the final determination of the issue the court may make such order as to any lien filed that shall appear right and proper

(m) Sidewalks Along County Roads Whenever considered necessary for the safety and accommodation of the public the county commissioners may locate construct and maintain sidewalks along county roads The cost of the construction and maintenance of said sidewalks shall be paid by the county

(n) Lights Along County Roads Whenever considered necessary for the safety and convenience of the traveling public the county commissioners may supply and equip any county road or parts thereof with lights of such kind as they shall deem necessary The commissioners may for this purpose contract with any individual or with any municipal or private corporation The cost of the construction may and the cost of maintenance of the said lights shall be paid by the county

Section 2702 System of Main Thoroughfares in County (a) Adoption of System The county commissioners may in the manner provided by this section cause to be laid out surveyed and adopted a system of main thoroughfares which said board shall adjudge the proper roads to be established and specially constructed and improved In adopting such system the commission shall consider the population and needs of all parts of the county and made an equitable distribution of the roads to be speci-

ally constructed located and improved by the said county They shall cause a plan or plans to be made showing said system of proposed roads the relation of the proposed roads to existing public roads which connect therewith or are to be supplied thereby the names of abutting property owners and also roads which already have been improved by the county Upon approval of said plan or plans by the commissioners they shall cause said approval to be engrossed upon said plans and certified by at least two commissioners Said plans shall be filed for public inspection in the office of the commissioners and recorded in the office of the recorder of deeds in a book to be provided for the purpose

No part of the proposed roads of said system shall be an easement upon private property or in any manner interfere with the use thereof until established as a public road by the action of the court of quarter sessions

(b) Improvement of Borough and Township Roads Whenever such system of main thoroughfares has been adopted or when the adoption thereof is contemplated within two years after the commencement of such improvement the commissioners may upon approval by the court of quarter sessions as hereinafter provided take exclusive control of and improve any road or section thereof located either wholiy or in part in any borough or township whether existing by their authority or laid out in whole or in part by virtue of this act or otherwise For that purpose they may orginally locate lay out establish in whole or in part relocate straighten widen extend alter and open roads and construct and improve the same and vacate so much of any roads as may be thereby rendered unnecessary and useless Any road as established or altered constructed and improved under the provisions of this subsection shall by ordinance enacted by each borough or by resolution adopted by the commission or supervisors of each township through which such road shall pass become borough or township roads and the duty of maintaining and keeping the same in repair shall devolve upon each respective township or borough through or into which the same extends

(c) Plan of System to Be Followed Variations After such plans have been adopted and recorded pursuant to law all applications under the preceding subsection to the court of quarter sessions sha l be restricted and shall relate only to the establishing opening construction and improvement of the proposed roads of said system or parts thereof and the vacation of roads supplied by the portion opened and improved The commissioners upon approval by the court of quarter sessions as hereinafter provided may relocate straighten widen extend alter and open construct and improve the proposed roads as laid out surveyed marked and shown upon the plans of said system or to originally ocate lay out and establish construct and improve roads which substantially supply said system or parts thereof which although not parts of said system are deemed by the said court to be main thoroughfares of sufficient importance to be improved by the county and to be added to said plan and in such case to vacate so much of the roads of said system and of roads already established as may be rendered unnecessary by the changes or by an entirely new location

(d) Improvement of Roards Not Part of System on Contribution From Parties Interested The commissioners may also origina ly locate lay out and establish in whole or in part relocate straighten widen extend alter and open construct and improve roads not parts of said system nor deemed main thoroughfares upon parties interested therein paying or securing to be paid in a manner to be approved by the court of quarter sessions such proportion of the cost of the original construction and improvement as the commissioners may deem just which shall not be less than one-fourth of such cost in any case

(e) Annual Tax The commissioners may levy assess and collect an annual tax of not more than two mil's upon the dollar upon all real and personal property within the county taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in locating opening widening straightening extending building improving maintaining repairing or vacating of the roads or parts thereof improved under the provisions of this section and for the taking and using of such land as may be made necessary in constructing and maintaining proper slopes embankments fills and culverts The moneys so raised shall not be expended for any other purposes than those named in this subsection All voucher checks for the payment of any portion of the money raised for the purposes aforesaid shall be issued in the manner provided by this act upon estimates which shall be made from time to time by the person charged with such duty and the amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work herein authorized

(f) Borrowing Money and Bond Issue Any county may borrow money and secure such indebtedness by issuing bonds in accordance with the provisions of the Municipal Borrowing Law for the purpose of building and improving the roads or any part thereof constructed under the provisions of this section

Section 2703 Providing Roads Tunnels Subways and Underground Roads (a) Purchase Location Construction Operation and Maintenance Whenever the county commissioners shall deem it expedient so to do and upon the approval thereof by the court of quarter sessions as hereinafter provided they may cause to be purchased located constructed operated and maintained roads tunne s subways or underground roads anywhere within the county either wholly or partly within the boundaries of any city borough town or township Any road tunnel subway or underground road purchased or constructed under the provisions of this section shall forever thereafter be a county road tunnel subway or underground road and the duty of maintaining and keeping the same in repair shall devolve upon the county The expense thereof shall be paid by the county as hereinafter provided

(b) Contracts or Lease for Special Use of Improvements The commissioners subject to the approval of the court of quarter sessions may make a contract or lease with any street railway or transportation company its successors and assigns for the concurrent use of such a portion of said road tunnel or subway or underground road as shall not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon No such contract or lease for the concurrent use of a portion of such improvement shall be for a longer term or period than twenty years Any such contract or lease shall be made in accordance with applicable provisions of the Public Utility Law

(c) Taking Street or Other Property of City or Borough Should the commissioners of any county deem it necessary or advisable to enter upon or appropriate any road or property of any city or borough in the county or take any other action affecting the property rights or authority of such city or borough for the purpose of constructing or maintaining a road tunnel subway or underground road or in connection with the improvement of any of them which has been or is about to be purchased by the county or otherwise the consent thereto of such city or borough by ordinance shall be obtained before the actual entering in or upon or the appropriation of such road or property After such entry and appropriation the county shall be liable and charged with the supervision control and maintenance of said roads and properties or so much thereof as is taken and used for the purpose of constructing and maintaining such road tunnel subway or underground road or in connection with the improvement of any of them purchased or to be purchased as aforesaid

(d) Annual Tax Levy The commissioners may levy assess and collect an annual tax of not more than two mil s on the dollar on all real and personal property within the county taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in the pur-

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chasing improving locating opening constructing maintaining and repairing roads tunnels subways and underground roads purchased or constructed under the provisions of this section and the taking and using of such land as may be made necessary in constructing the same and in maintaining proper slopes embankments approaches and termini for said roads tunnels subways and underground roads The money so raised shall not be used or expended for any other purposes than those named in this subsection All voucher checks for the payment of any portion of the money raised for the purposes aforesaid shall be issued in the manner provided by this act upon estimates which shall be made from time to time by the person charged with such duty The amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work herein authorized

(e) Borrowing Money and Bond Issue Any county may borrow money and incur indebtedness in accordance with the provisions of the Municipal Borrowing Law to an amount not exceeding the constitutional limitations for the purchase and improvement or construction of such roads tunnels subways and underground roads

Section 2704 General Provisions (a) Procedure to Obtain Approval of Quarter Sessions When the county commissioners resolve to exercise any of the powers conferred in subdivision (a) of this article they shall cause to be prepared surveys and plans of such road or tunnel subway or underground road showing the improvement proposed to be made together with any proposed changes in existing roads and they shall present such surveys and plans together with their petition on behalf of such county to the court of quarter sessions praying for approval of such proposed exercise of powers Such petition shall briefly describe the proposed improvement and the estimated cost thereof and if the method of construction has not been fully determined the estimated cost thereof according to each of the several methods in which the improvement may practicably be made

On the filing of such petition the court shall fix a time for a hearing thereon Notice of said hearing shall be given by an advertisement published at least ten days prior to the hearing in two newspapers of general circulation in the county which notice shall briefly describe the location of the improvement proposed to be made and the time place and purpose of said hearing Upon the hearing thereof the court may for proper cause shown disapprove the petition otherwise it shall approve the same and order that said improvement be made and constructed in accordance with the plans and survey accompanying the petition Thereupon any original location relocation opening widening straightening extension alteration or vacation of any road as set forth in said proceedings and the right to proceed with such improvement shall become absolute

The words "Improved" or "improvement" as herein used mean each and every power conferred upon counties under the terms of any of the preceding sections of this article

(b) Right of Eminent Domain For the purposes described in this section the county commissioners may enter upon private or public property and may take injure and destroy the same in the manner and subject to the restrictions and procedure prescribed by Article XXIV of this act

(c) Contracts for Improvements After said surveys and plans and the petition to the court of quarter sessions have been approved by the court and the road tunnel subway or underground road ordered to be made and constructed in accordance therewith the commissioners shall invite proposals and let contracts for the making and constructing of the same or such parts of the same as the commissioners shall deem proper in accordance with the provisions of Article XVIII of this act and of sections 2318 and 2319 and such provisions of Article XXVI of this act as established additional requirements for advertising for bids for inspection of plans and specifications by bidders and for the dating and marking of bids filed

(d) Procedure Where Property is Left Without Outlet by Reason of Vacating of Part of Old Road Whenever by reason of the relocating opening widening straightening or extending of any road or any part thereof any part of the road involved becomes useless and is vacated and the property of one owner shall intervene between the new road and the lands of another owner having no outlet by reason of said relocation opening extending straightening and widening it shall be the duty of the said county commissioners to obtain from the owner of said intervening property and the owner of the formerly contiguous or adjoining land an agreement satisfactory to such parties for providing an outlet for the said land If the parties shall not agree to the transfer of the properties so intervening upon the new road and any such lot or piece of land in the opinion of the said county commissioners be insufficient for building purposes it shall be taken and used as part of said road or highway

(e) Parties Making Application for New Road to Notify Local Road Authorities In all cases wherein any proceedings are about to be had before the county commissioners or court for the laying out opening and construction of new roads for public use it shall be the duty of the parties making application to the commissioners or to the court for the appointment of viewers reviewers or re-reviewers to lay out open or construct such to give written notice of such application to the supervisors or commissioners of the territory through which the proposed road is designated to be laid out and constructed of the time and place of such application and of the time and place of the meeting of viewers reviewers and re-reviewers A copy of said written notice properly attested shall be filed among the records of the court having cognizance of the matter Failure to comply with the provisions of this subsection as to such notice shall be sufficient grounds for an application to set aside whatever proceedings may have been taken of which said supervisors or commissioners had no written notice

(f) Unlawful to Raise Road Above Ordinary Grade Over Drain or Culvert In the construction or repair of any road it shall be unlawful for the person or persons in charge of such construction or repair to raise such road or permit the same to be raised or elevated above the ordinary grade thereof when a drain or culvert shall be constructed under such road or when such road shall be constructed or repaired over such drain or culvert

(b) Vacation as County Roads

Section 2709 Vacation as County Roads Upon petition of the county commissioners the court of quarter sessions may vacate as a county road any portions of any abandoned or condemned turnpike road or any portions of any turnpike road purchased by the county or of any road the permanent location or improvement whereof has been ordered or made under this or former acts relating to county roads All portions of such roads so vacated shall become and be township roads unless such roads so vacated are within a second class county in which event all portions of such roads so vacated shall become and be township roads if located within a township or shall become and be borough or city roads if located within a borough or city Written notice of the contents of said petition and the time when the same will be presented to the court shall be given by the county commissioners to the supervisors or commissioners of the township or townships or to the council of the borough or city through which said road passes at least ten days before the date of presenting the same At the time said petition is presented the court may fix a time for hearing in open court or may refer the matter to an examiner to take testimony and report his findings to the court at such time as the court shall direct At any hearing in open court or before an examiner appointed by the court all parties in interest may appear and be heard After such hearing the court if it shall find that the conditions prescribed by this act have

been complied with may grant the prayer of the petitioners and make a decree accordingly or make such order in the premises as it deems right and just No order of vacation shall be made until the township borough or city affected shall have consented thereto by an ordinance or resolution certified to the court

(c) Continuous Highways from One County to Another

Section 2712 Laying out Altering Roads forming or intended to form a continuous highway from one county to another which cross a river creek or rivulet forming a boundary line between said counties may be laid out or altered or vacated in the manner provided in the case of other roads except that the court of quarter sessions of each county shall appoint three viewers and that a report as aforesaid shall be made to each court respectively and that each court shall otherwise have an exercise concurrent jurisdiction therein

(d) County Aid to Municipalities and Townships

Section 2720 Municipal Streets Connecting Two Ends of County Road When a city or borough intervenes between two ends of a county road and the municipality has failed to properly improve the municipal streets constituting the shortest and most reasonable route through said municipality which will connect the two ends of such county road the board of commissioners may contract with the corporate authorities of the municipality that the shortest and most reasonable route through said municipality connecting the two ends of such highway be improved

Section 2721 Municipal Streets as Terminus of County Road When a county road terminates at the corporate limits of a city or borough in the same or in another county and connects with a municipal street which the municipality has failed to properly improve and the commissioners of the county in which the municipality is located deem the improvement of such municipal street necessary in order to make such county road easily accessible to the residents of the municipality or to the traveling public the county commissioners may contract with the corporate officials of the municipality that such municipal street or any part thereof be improved and also that there be improved when necessary any parts of the streets connected therewith which connect said county road with the business districts of said municipality or with a system of improved streets therein or which connect the said road with another county road terminating at the limits of said municipality If several municipalities are contiguous to each other and at the corporate limits of any one of them a county road terminutes and one or more of such municipalities have failed to properly improve any municipal street therein and the county commissioners deem the improvement of such street necessary in order to make such county road easily accessible to the residents of the municipality or to the traveling public the board of commissioners may enter into a similar contract with the corporate authorities of such municipality or municipalities

Section 2722 Improvements The board of commissioners may widen repave or otherwise improve said municipal streets whenever the same is necessary to accomplish any of the purposes of sections 2720 and 2721 of this act Whenever such improvement is made to a municipal street the county may pay the total cost of such improvement or the cost may be divided between or among the municipality or municipalities and the county The contract for any such improvement may be taken by the county upon the stipulation by any municipality to pay its proportionate share of the cost if any upon the completion of the work or it may be taken by any municipality upon a like stipulation of the county or the improvement may be made by joint contract

Section 2723 Maintenance Before any municipal street is so improved the board of commissioners and the council of such municipality shall agree upon the maintenance of such street Such agreement may provide that such street shall be kept and maintained in good repair by the municipality in which case upon the completion of said improvement all further liability and responsibility of the county shall cease and determine or it may provide that it shall be kept and maintained in good repair by the county and the share of the municipality shall be paid annually to the county

Section 2724 Contracts With Borough Township or Incorporated Town The board of commissioners may contract with the authorities of any borough or township or any incorporated town separately or jointly providing that the commissioners shall construct an improved road in a similar manner as a county road The expense or cost of said construction shall be borne jointly by the borough township or incorporated town and the county in such ratio or proportions as may be agreed on in said contract or contracts irrespective of whether the municipality intervenes between two ends of the county road or not or whether or not the municipality is the terminus of a county road State highway or township road

Section 2725 Payment Payment for the construction of said road or roads shall be made by the county which shall be reimbursed by the borough township or incorporated town in such sums as agreed upon in said contract or contracts upon presentation to them from time to time of estimates and bills for work already performed and paid for

Section 2726 Repair and Maintenance Any such road constructed jointly shall be repaired and maintained at the expense of the county but nothing shall prevent the authorities of a borough township or incorporated town from entering into a contract or contracts with the county for the maintenance of said improved road under such terms and conditions as may be mutually satisfactory

Section 2727 Where Center Line of Highway is Boundary Between City or Borough and Township Whenever the center line of any road constitutes the dividing line between any city or borough and a township located in the same county the board of county commissioners and the commissioners or supervisors of such township may enter into a contract with the city or borough providing for the grading curbing and macademizing or paving of the roadway of said road The cost thereof shall be borne one-half by the county and township in equal portions

Section 2728 Alteration or Improvement The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with laws governing the construction of such alterations or improvements in said city or borough and in further compliance with plans and specifications to be agreed upon in writing between the said city or borough and the board of commissioners of the county and commissioners or supervisors of the township The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 2729 Where Center Line of Road is Boundary Between City or Borough and Township in Adjoining County Whenever the center line of any road constitutes a dividing line between a township and a city or borough located in an adjacent county the board of commissioners of the county and the commissioners or supervisors of such township may enter into a contract with the city or borough providing for the grading curbing macadamizing or paving of the roadway of said road The cost thereof shall be borne one-half by the city or borough and one-half by the township and the county in which such township shall be situated in equal portions

Section 2730 Alteration Improvement and Repairs Said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the authorities of the city or borough in compliance with laws governing such construction or improvement by such city or borough and in further compliance with plans and specifications to be agreed upon in writing between such municipality and board of commissioners of the county and the commissioners or supervisors of the township The

cost of repairs shall be borne one-half by the municipality and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 2731 Improvement on Order of Common Pleas (a) In all cases in which it shall be found impossible to enter into such contracts or agreements or where either the city or borough and the township or the county in which such township is situated shall refuse to enter into such contract or agreement either the municipality or the county or township may present its petition to the court of common pleas of either county setting forth the facts and circumstances including the condition of the road from which the necessity and desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of such contract cannot be agreed upon by the municipality and county or township or either or any of them or that either such municipality or the county or township or any of them refuses to enter into such contract

(b) The petition may pray that the court after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made to the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for A copy of said petition duly certified shall be served upon the municipality or county and township concerned other than the petitioner with notice of the day fixed by the court for the hearing Thereupon any of the parties served with such notice shall be entitled on or before such date to file in the court its answer to said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it

(c) The court upon the date fixed or at such other time as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the court which may reject confirm or modify the same and may make its decree or order directing the making of such alterations or improvements to the roadway as may be deemed reasonably necessary or desirable and providing for the sharing of the cost of such improvements one-half by the municipality and one-half by the county and township in equal portions

(d) Said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the municipality whether borough or city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper Thereupon the grading curbing macadamizing or paving of the roadway of such road shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement had been entered into and duly executed

Section 2732 Guards or Barriers Along Township Roads When a township road runs along the edge of a precipice along which it may be necessary to erect guards or barriers for the proper protection of the traveling public and the erecting of such guards or barriers requires more expense than it is reasonable the township should bear the court of quarter sessions having jurisdiction shall on the representation of the supervisors or on the petition of any of the inhabitants of such township order a view If on the report of the viewers it shall appear to the court and to the commissioners of the county that such guards and barriers are necessary and would be too expensive for such township the same shall be erected and maintained by the county as county improvements The county and the township may contract to share the cost thereof jointly The provisions of this section shall apply to roads already opened as well as those hereafter opened

Section 2733 Improvements of Roads Connecting With State Highway The county may singly or jointly with any city or borough appropriate and expend moneys for the improvements of any road not more than one mile in length in distance outside of the limits of such city or borough for the purpose of connecting improved streets in such cities or boroughs with a State highway

Section 2734 Purchase of Road Machinery Renting of Road Machinery to Townships The county commissioners of any county may purchase such machinery for the preparation of road material and the construction and maintenance of roads as they deem necessary and pay for the same out of the general funds of the county Such machinery may be rented by the county commissioners to any of the townships within such county applying for same under such regulations and at such rentals as the county commissioners shall prescribe and fix All machinery purchased under the provisions of this section shall be operated only by persons employed for that purpose by and under the direct supervision of the county commissioners

(e) Detours

Section 2740 Laying Out Detours When County Road is Closed (a) Except in the case of emergency wherein the safety of the public would be endangered no county road shall be closed to vehicular traffic except upon order of the county commissioners nor for a longer period than is necessary for the purpose for which such order is issued Except for temporary emergency police measures wherein the safety of the public would be endangered if it were not temporarily closed no county road shall be closed to vehicular traffic when the same has been designated as a detour by the Department of Highways of the Commonwealth unless the written consent of the Department of Highways has first been obtained or unless the county commissioners having jurisdiction over said road shall by resolution declare such closing necessary for the protection of the public safety

(b) Whenever any county road shall be closed to vehicular travel the board of commissioners shall immediately designate or lay out a detour on which they shall cause to be erected and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use the county commissioners shall maintain such detour in safe and passable condition They shall also immediately remove all detour signs when the highway originally closed is again opened for traffic

(c) The county commissioners shall as soon as possible repair the road designated as a detour and place it in a condition at least equal to its condition when designated as a detour

(d) "Highways" as used in this act includes all public thoroughfares and ways equally with the word "road" for convenience of expression

Section 2741 Detour Over Private Lands Whenever necessary in the creation of a detour as aforesaid the county commissioners responsible for laying out the detour may enter into an agreement with the owners of private lands covering the acquisition of right of way privileges over private property for the period when the main highway shall be closed to traffic In the exercise of the rights conferred by this section the county commissioners responsible are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and maintenance of the roads in their charge

Section 2742 Fines and Damages (a) Any person who shall wilfully remove deface destroy or disregard any barricade light danger sign detour sign or warning of any character whatsoever erected or placed under authority of section 2740 of this act or who shall drive on over or across any road which has been closed by proper authority shall upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace be sentenced to pay a fine of not less than

twenty-five dollars ($25) nor more than one hundred dollars ($100) and the cost of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a road may drive on over or across such road with the consent in writing of and subject to such conditions as may be prescribed by the county commissioners responsible for the closing or their agents or contractors without being subject to the fines imposed by this section

(b) In addition to the fines herein provided the county commissioners responsible for the maintenance of a road which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any person or persons who have damaged a road when it is closed to vehicular traffic

(c) All fines collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the boroughs towns or townships in which the offenses shall have been committed

(f) Protection of Roads

Section 2750 County Road Caretakers The persons appointed by the board of commissioners to inspect and repair roads improved and maintained as county roads shall be designated county road caretakers The caretakers shall have all the power and authority now vested by law in the constables of the several cities boroughs and townships of this Commonwealth to keep the peace in and along the county roads of such county and to enforce all laws regulating the speed of automobiles and other vehicles thereon and to enforce all rules or regulations governing the use of such roads and to make arrests therefor

Section 2751 Caretakers Not Entitled to Fines or Penalties No such caretaker shall be entitled to any portion of any fine or penalty imposed upon any person or persons for any violation of any act of Assembly or rule relating thereto but all such fines and penalties when the proceeding is initiated by such caretaker shall belong to and be paid into the county treasury for the benefit of the county

Section 2752 Badge of Caretaker The board of commissioners shall furnish each of said caretakers as an evidence of his authority a badge having impressed thereon the word "Police ..... County Road Caretaker"

Section 2753 Rules for Protection of Road Penalty for Violation (a) For the purpose of preventing unreasonable wear and destruction of public roads improved and maintained by the county the board of commissioners may adopt and prescribe reasonable rules regulating and restricting the use of said roads within the county by any means of locomotion and prescribe pecuniary penalties for the enforcement thereof All such rules adopted by the board of commissioners shall before becoming operative be published once a week for three weeks in two newspapers of general circulation in the county to which the rules apply and be recorded in the office of the recorder of deeds of said county

(b) Any resident of the county within which the violation of any rule so adopted shall occur may institute and prosecute to judgment and execution an action of assumpsit in any court having jurisdiction of such actions and the amounts involved for the recovery of any penalty for the violation of any rule prescribed by the board of commissioners of which penalty the plaintiff shall be entitled to one-half and the county shall be entitled to the other half payable to the county treasurer who shall add the same to the fund for the improvement of said county roads

(c) Any person violating any rule so adopted shall upon summary conviction be sentenced to pay a fine of not less than five dollars ($5) or more than one hundred dollars ($100) payable to the county treasurer who shall add the same to the fund for the improvement of said county roads From any judgment obtained for said penalty and from said summary conviction an appeal shall lie as provided by law

Section 2754 Penalty for Destroying Et Cetera Index Boards (a) It shall be unlawful for any person to wilfully destroy remove injure or deface any sign or index board erected upon or near any public street, road or bridge by the authorities of any county or erected with the consent of such authorities by any club association or other organized body for the direction guidance or safety of travelers Any and all such signs of wood metal or other substances affixed to trees or posts in or upon any roads properly erected in such manner that they do not interfere with travel or upon fences telegraph telephone trolley or other poles with the permission of the owners thereof or upon private grounds where consent has been obtained from the owners and tenants thereof and which are close to roads shall be within the provisions of this section

(b) Any person violating the provisions of this section shall upon summary conviction be sentenced to pay a fine of not less than ten dollars ($10) nor more than twenty-five dollars ($25) with all costs of prosecution together with the value of such sign so destroyed removed or defaced In default of payment of said fine costs and expenses such person shall undergo an imprisonment for a period of not less than five nor more than sixty days

Section 2755 Snow Fences (a) Any county which is responsible for the maintenance of any road may enter upon private property adjacent to such road and place thereon snow fences at any point as may be deemed necessary to within a limit of one hundred feet from the right-of-way line of such road in order to eliminate snow drifting on the traveled portion thereof

(b) No snow fence authorized under this section shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

(c) If the county responsible for the maintenance of the road shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of the proper county for the appointment of viewers to ascertain the amount of damages incurred in such case The appointment of viewers and the procedure thereafter shall be governed and be in accordance with this act as provided for eminent domain proceedings Such damages if any when ascertained shall be paid by the county responsible for the maintenance of the road and any funds available to the county for the construction and maintenance of roads under their supervision shall be available for the payment of such damages

Section 2756 Elimination of Dangerous Curves and Widening of Narrow Roads Any county may acquire by purchase or by the right of eminent domain such property and lands situate along or adjacent to any county road as in the opinion of the commissioners of such county may be necessary to eliminate dangerous curves and widen narrow roads for the better protection and safety to the traveling public

Upon any such purchase or condemnation the county commissioners having had such property and lands condemned may from time to time cause to be abated or removed any such dangerous curve or curves or widen such narrow road to the extent of the property and land so acquired

Proceedings for the condemnation of such property and lands shall be as provided in Article XXVI of this act

Article XXVIII

Actions By And Against Counties

Section 2801 Commissioners to Bring and Defend Suits All suits by a county shall be brought and conducted by the board of commissioners In all suits against a county

process shall be served upon and defense made by the board of commissioners Service shall be made upon any county in the manner prescribed by the Pennsylvania Rules of Civil Procedure for so long as the pertinent provisions of this section remain suspended by said rules

Section 2802 Form of Action to Recover Claims Jurisdiction of Justices of the Peace Counties may proceed for the recovery of municipal claims by lien or by action of assumpsit Jurisdiction is conferred upon justices of the peace to entertain such actions of assumpsit to the amount of three hundred dollars ($300)

Section 2803 Competency of Witnesses and Jurors No person shall be excluded from being a witness or juror in any suit prosecution or proceeding in which the county is a party or is interested by reason of such person being or having been an officer rated citizen or inhabitant in such county or owning assessed or taxable property or being liable to the assessment or payment of any tax therein

Section 2804 Execution Against County (a) If judgment shall be obtained against a county in any action or proceeding the party entitled to the benefit of such judgment may have execution thereof as follows and not otherwise The court of common pleas of the county against which judgment shall be obtained or the court to which a judgment may have been removed by transcript from a justice of the peace or alderman on application of the party entitled to the benefit of such judgment may direct the issue of a writ thereon commanding the commissioners of the county to cause the amount of the judgment with the interest and costs to be paid to the party entitled out of any moneys of the said county which are not appropriated or pledged for any specific purpose and which are not required to meet the current operating expenses of the county during the then fiscal year If there be no such money then out of the first moneys coming into the hands of its treasurer which have not been appropriated or pledged to any specific purpose and are not required to meet the current operating expenses of the county during the fiscal year in which such writ issued If such judgment shall have been recovered on an obligation secured by a sinking fund payment thereof may be directed out of any moneys in the sinking fund

(b) If such judgment is not paid by the commissioners as directed by such writ they shall within twenty days after service thereof make answer showing the reasons for not having made payment as commanded

(c) If it appear from said answer that the county does not have moneys not appropriated or pledged for specific purposes and not required for current operating expenses with which to pay said judgment and that it will not during the then fiscal year have sufficient funds not appropriated or pledged for specific purposes and not required to meet current operating expenses to enable the payment of such judgment or judgments the court after hearing shall direct the levy of a tax to be levied and collected during the succeeding fiscal year or years sufficient to pay such judgment or judgments

(d) In directing the levy of such tax the court shall take into consideration the number of judgments against the county and the writs issued and shall have power to decide during how many years the tax shall be levied but it shall not direct the levy of a tax for any one year in excess of one-half of one per centum of the assessed valuation of the taxable property of the county

(e) The taxes thus directed to be levied shall be levied by the commissioners at the same time the next levy for general county purposes is made and shall be levied and collected as other taxes are by law levied and collected but shall be listed in the duplicates as a separate tax and shall be kept distinct from all other of the county's funds and applied in payment of the judgment or judgments for which collection is directed as from time to time received but one levy may be made for the satisfaction of more than one judgment and the fund shall be applied to the satisfaction of the judgments in the order in which the writs were issued

(f) The court shall have power to enforce by attachment or otherwise all orders and decrees entered in pursuance of the powers hereby granted

(g) All judgments and unpaid parts thereof shall bear interest at the rate of six per centum per annum but not compounded

Section 2805 Appeals in Behalf of County by Taxpayers Subject to the proviso hereinafter made any ten or more taxpayers of the county may in behalf of such county appeal from the report of its county auditors or controller to the court of common pleas or prosecute any suit or action in behalf of said county or defend such county in any suit process or action that may be brought against such county by appeals from county auditors' or controller's report or otherwise If no appeal is entered by county officials the appeal by such taxpayers shall be entered within ninety days after the filing of such report in the court of common pleas All of the appellants shall enter into recognizance with two sufficient sureties conditioned that the appellants shall prosecute said appeal with effect and pay all costs that may accrue thereon in case they fail to obtain a final decision more favorable to the county than the report from which such appeal is taken In all such appeals the courts of common pleas may direct an issue to be tried by a jury upon whose verdict final judgment shall be entered reserving the right of all parties to appeal to the Supreme Court or Superior Court as provided in other appeals Before said taxpayers shall be permitted to come into court and prosecute any suit or action or defend the county in any suit process or action they shall present to the court a petition signed by them accompanied by an affidavit of one of their number that they believe injustice will be done the county unless they are so permitted Said taxpayers shall whenever the court shall deem it necessary file in said court of common pleas a bond with one or more sufficient sureties to be approved by said court to indemnify and save harmless said county from all costs that may occur in the suit process or action subsequent to filing the petition

Intervention by taxpayers to prosecute any action or suit on behalf of a county including an appeal already filed from an auditors' or controller's report or to defend the county shall be governed by the Pennsylvania Rules of Civil Procedure for so long as the pertinent provisions of this section remain suspended by said Rules

Section 2806 Certain Procedure in Equity Not to Apply When County Is Libellant Et Cetera The first section of the act of May sixth one thousand eight hundred and forty-four (P. L. 564) entitled "An act further to regulate proceedings in courts of justice and for other purposes" shall not apply to any bill or proceeding in equity wherein any county is libellant plaintiff or complainant nor shall any county be required to give security on appeal to the Supreme Court or Superior Court in any proceeding in equity In all such cases it shall be the duty of the court in which the same may be pending as far as practicable to expedite the hearing and final determination thereof by such rules order or orders not inconsistent with the laws of this Commonwealth as justice and equity may require

Section 2807 Submission of Disputes to Arbitration It shall be lawful to include in any contract executed by or on behalf of any county a provision that any matter in dispute arising under the said contract shall be submitted to arbitration in accordance with the arbitration act of June sixteenth one thousand eight hundred and thirty-six of such sections thereof as may be set forth in such contract

Any county having charge of the execution of any contract shall have the right with the consent of the county solicitor to agree to submit to arbitration any matter in dispute under any contract to which the said county shall be a party in accordance with the act of one thousand eight hundred and thirty-six or any section thereof as may be agreed upon whether or not the contract shall contain a provision providing for such reference

Article XXIX

Acts of Assembly Repealed

Section 2901 The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

Section 78 of the act approved the fifteenth day of April one thousand eight hundred thirty-four (P. L. 537) entitled "An act relating to counties and townships and county and township officers" as to counties of the third to the eighth class inclusive

The act approved the first day of April one thousand eight hundred thirty-five (P. L. 101) entitled "An act relative to the bonds of county treasurers in the Auditor General's office" as to counties of the third to the eighth class inclusive

Section 3 and 10 of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes" as to counties of the third class inclusive

Sections 1 3 and 7 of the act approved the third day of May one thousand eight hundred fifty (P. L. 654) entitled "An act providing for the election of district attorneys" as to counties of the third to the eighth class inclusive

Sections 17 and 18 of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" as to counties of the third to the eighth class inclusive

The act approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 85) entitled "A further supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' so far as relates to the duties of district attorneys" as to counties of the third to the eighth class inclusive

The act approved the seventeenth day of April one thousand eight hundred sixty-nine (P. L. 66) entitled "An act relating to the payment of county auditors" as to counties of the third to the eighth class inclusive

Sections 1 2 3 4 5 6 7 8 9 10 15 and 16 of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as to counties of the third and fourth class

The act approved the twenty-second day of April one thousand eight hundred seventy-nine (P. L. 30) entitled "An act extending the powers and authority of county auditors authorizing them to settle audit and adjust the accounts of the directors of the poor of the several counties of the Commonwealth" as to counties of third to the eight class inclusive

The act approved the eighth day of June one thousand eight hundred eighty-one (P. L. 81) entitled "An act to authorize the courts of common pleas of this Commonwealth on sale of real estate by surety for the sheriff or coronor on application by petition to release the lien of recognizance on said real estate" as to counties of the third to the eighth class inclusive

The act approved the twenty-seventh day of June one thousand eight hundred eighty-three (P. L. 163) entitled "An act providing for the satisfaction and discharge sheriff's recognizance" as to counties of the third to the eighth class inclusive

The act approved the nineteenth day of April one thousand eight hundred eighty-nine (P. L. 38) entitled "An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth" as to counties of the third to the eighth class inclusive

The act approved the thirteenth day of May one thousand eight hundred eighty-nine (P. L. 200) entitled "An act regulating the payment of traveling expenses of directors of the poor and county commissioners within this Commonwealth" as to counties of the third to the eighth class inclusive

The act approved the twelfth day of June one thousand eight hundred ninety-three (P. L. 457) entitled "An act to provide for the erection maintenance and regulation of public morgues in the several counties of this Commonwealth for the care and disposal of bodies removed thereto and providing for the payment of certain expenses of the same by the proper county or district or by the estate of the deceased person and providing for the disposal of the personal effects of unclaimed dead" as to counties of the third to the eighth class inclusive

The act approved the eighteenth day of June one thousand eight hundred ninety-five (P. L. 209) entitled "An act regulating the printing and publication of notices and advertisements authorized by the county commissioners of the counties of this Commonwealth containing a population of five hundred thousand and not exceeding one million as shown by the last United States census providing how newspapers shall be designated in which such publications shall be made and repealing an act entitled 'An act authorizing the county commissioners of Allegheny county to select four morning newspapers for official county advertising approved the second day of April Anno Domini one thousand eight hundred and seventy-three and also repealing the tenth section of an act entitled 'A Supplement to an act approved the first day of May Anno Domini one thousand eight hundred and sixty-one entitled "An act relating to Allegheny County" 'approved the eighth day of April Anno Domini one thousand eight hundred and sixty-two" as to counties of the third class

The act approved the fourteenth day of April one thousand eight hundred ninety-seven (P. L. 22) entitled "An act making it the duty of the various county officials to furnish on demand therefor information from their respective offices to the head of any department of the State government and providing a compensation therefor" as to counties of the third to the eighth class inclusive

The act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 285) entitled "An act authorizing the commissioners of the counties of the Commonwealth to transfer and cover into the general fund of the several counties any money now placed to the credit of any city borough or township upon any duplicate for taxes where the same has remained uncalled for during a period of ten years provided the right to the same is not in litigation or a matter of dispute" as to counties of the third to the eighth class inclusive

The act approved the eighteenth day of April one thousand eight hundred ninety-nine (P. L. 56) entitled "An act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people" as to counties of the third to the eighth class inclusive

The act approved the eleventh day of May one thousand nine hundred one (P. L. 165) entitled "An act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as to counties of the third to the eighth class inclusive

The act approved the twenty-first day of May one thousand nine hundred one (P. L. 271) entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand" as to counties of the third and the fourth class

The act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children" as to counties of the third to the eighth class inclusive

The act approved the eleventh day of April one thou-

sand nine hundred three (P. L. 164) entitled "An act to provide for the construction of bridges over or under existing railroads at the expense of the county where a public highway or a road about to be opened intersects or will intersect an existing railroad or railroads and the township within which the bridges may be necessary is reasonably unable to bear the expense of the same" as to counties of the third to the eight class inclusive

The act approved the fourteenth day of February one thousand nine hundred seven (P. L. 3) entitled "An act enlarging the powers of county commissioners to erect county bridges empowering them to erect and construct new bridges whenever the existing bridge or bridges are not sufficient for any cause to accommodate the public travel" as to counties of the third to the eighth class inclusive

Section 1 of the act approved the sixteenth day of April one thousand nine hundred seven (P. L. 92) entitled "An act defining the duty of coroners police and health authorities in this Commonwealth in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner" as reenacted and amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 710) insofar as it is inconsistent with the provisions of this act in counties of the third to the eighth class inclusive

The act approved the twenty-second day of April one thousand nine hundred nine (P. L. 104) entitled "An act providing for the support and maintenance of law libraries in the counties of this Commonwealth" as to counties of the third to the eighth class inclusive

The act approved the twenty-seventh day of April one thousand nine hundred nine (P. L. 242) entitled "An act providing for the payment to the treasurer of any county soldiers' memorial association within the Commonwealth of Pennsylvania incorporated under the laws of the said Commonwealth of any moneys unexpended which were appropriated by the county commissioners of any county in the Commonwealth under the act of April third one thousand nine hundred and three to be used solely and exclusively for the erection or completion of any monument or memorial to the memory of the soldiers and sailors of American wars" as to counties of the third to the eighth class inclusive

The act aproved the eighth day of June one thousand nine hundred eleven (P. L. 717) entitled "An act relating to coroners and the holding of post-mortems in the several counties of the Commonwealth" as to counties of the third to eighth class inclusive

The act approved the twenty-seventh day of March one thousand nine hundred thirteen (P. L. 11) entitled "An act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made" as to counties of the third to the fifth class inclusive

The act approved the fourteenth day of May one thousand nine hundred thirteen (P. L. 204) entitled "An act authorizing the board of county commissioners of the several counties of the State to appropriate money for cooperative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties" as to counties of the third to the eighth class inclusive

The act approved the twenty-fifth day of June one thousand nine hundred thirteen (P. L. 559) entitled "An act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court" absolutely

The act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 237) entitled "An act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person" as to counties of the third to the eighth class inclusive

The act approved the twenty-fourth day of May one thousand nine hundred seventeen (P. L. 297) entitled "An act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds" as to counties of the third to the eighth class inclusive

Sections 2 and 3 of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 570) entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" absolutely

The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1042) entitled "An act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of said solicitor and fixing his salary" absolutely

The act approved the eighth day of May one thousand nine hundred nineteen (P. L. 163) entitled "An act authorizing county commissioners to appoint county engineers and to fix their compensation and prescribing the duties of such engineers" as to counties of the third to the eighth class inclusive

The act approved the thirteenth day of April one thousand nine hundred twenty-one (P. L. 132) entitled "An act authorizing county commissioners to appropriate moneys for the maintenance of duly incorporated organizations for the prevention of cruelty to animals" as to counties of the third to the eighth class inclusive

Sections 1 2 3 4 5 6 8 9 10 11 12 13 and 14 of the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1006) entitled "An act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act" absolutely

Sections 2 3 4 6 7 and 8 of the act approved the twelfth day of April one thousand nine hundred twenty-three (P. L. 62) entitled "An act relating to treasurers in counties of the fifth class providing for their salaries bonds offices and supplies and the compensation of deputies and clerks" absolutely

The act aproved the twenty-seventh day of April one thousand nine hundred twenty-three (P. L. 112) entitled "An act fixing the compensation of jury commissioners in counties of the seventh class" absolutely

Sections 2 3 4 and 5 of the act approved the nineteenth day of May one thousand nine hundred twenty-three (P. L. 275) entitled "An act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties" absolutely

The act approved the nineteenth day of May one thousand nine hundred twenty-three (P. L. 283) entitled "An act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the court on the law of this Commonwealth" as to counties of the third to the eighth class inclusive

The act approved the twenty-eighth day of June one thousand nine hundred twenty-three (P. L. 875) entitled "An act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and for the acquisition of toll bridges and providing for the division of the cost of construction and erection or acquisition of joint county bridges or toll bridges and the collection of tolls thereon" as to counties of the third to the eighth class inclusive

Sections 2 3 4 6 7 8 9 and 10 of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and suplies of certain county officers their deputies and clerks in counties of the sixth class" absolutely

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 973) entitled "An act providing for the payment by counties of expenses incurred by the district attorney and making such ex-

penses a part of the costs of the case where the defendant is convicted" as to counties of the third to the eighth class inclusive

Sections 1 2 3 4 5 6 8 9 10 12 and 13 of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1054) entitled "An act relating to certain officers in counties of the fifth class providing for the salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act" absolutely

The act approved the ninth day of April one thousand nine hundred twenty-five (P. L. 222) entitled "An act providing for the payment by counties and poor districts of the salaries of officers where pending the settlement of a dispute the salary paid to such officer was less than the amount to which he was legally entitled" absolutely

The act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 559) entitled "An act fixing the salary of sheriffs in counties of the sixth class providing for the payment for the care and maintenance of prisoners where the sheriff is keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county providing for the appointment and compensation of deputies and clerks and prescribing penalties" absolutely

The act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 596) entitled "An act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof" as to counties of the third to the eighth class inclusive

The act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who are have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as to counties of the third to the eighth class inclusive

The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 1020) entitled "An act authorizing and empowering the cities of the third class to acquire by lease purchase or condemnation proceedings any land within or without the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the government of the United States upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field" as to counties of the third to eighth class inclusive

The act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 38) entitled "An act authorizing and regulating the establishment and operation by counties of hospitals for the treatment of women afflicted with nervous diseases providing for the acquisition of property for such hospitals by the power of eminent domain the incurring of indebtedness and the levying of taxes authorizing counties to pay for patients cared for in hospitals of other counties and authorizing counties to receive gifts or trust funds for the erection and maintenance of such hospitals" as to counties of the third to the eighth class inclusive

The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as to counties of the third to eighth class inclusive

The act approved the fifteenth day of May one thousand nine hundred twenty-nine (P. L. 1767) entitled "An act validating the action of the salary board of any county of this Commonwealth in providing additional assistants to the district attorneys in the respective counties when such appointments became necessary or on account of sickness of assistant district attorneys or on account of increased business or unusual conditions or circumstances provided the salary for such appointees did not exceed the minimum salary provided for assistant district attorneys in the respective counties" as to counties of the third to eighth class inclusive

The act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1794) entitled "An act permitting the district attorney or any assistant district attorney to be present during the presentation of all matters to the grand juries in their sessions in the several third class counties of this Commonwealth lay before them matters upon which they are to pass and to aid them in their examination of witnesses" absolutely

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 929) entitled "An act fixing the qualifications of deputy sheriffs in this Commonwealth" as to counties of the third to the eighth class inclusive

The act approved the seventeenth day of March one thousand nine hundred thirty-three (P. L. 14) entitled "An act fixing the salary of sheriffs in counties of the seventh class providing for the payment for the care and maintenance of prisoners where the sheriff is keeper or warden of the jail providing for deputies and their compensation requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for use of the county and prescribing penalties" absolutely

Section 2 of the act approved the twenty-third day of May one thousand nine hundred thirty-three (P. L. 948 Number 184) entitled "An act to amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278 Number 447) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' changing the procedure to create the office of county controller including procedures where decrees have heretofore been entered" as to counties of the third to eighth class inclusive

The act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commission after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" as to counties of the third to eighth class inclusive

The act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1595) entitled "An act relating to peace officers providing for the qualifications and appointments of deputy sheriffs regulating the manner of their selection and compensation regulating the source of compensation for other peace officers declaring void certain contracts inconsistent with the provisions hereof providing penalties and repealing inconsistent acts" as to counties of the third to the eighth class inclusive

The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2612) entitled "An act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county any

real estate and property appropriate for agriculture fairs or exhibits and to lease the same without expense or liability to the county to any incorporated agriculture association to operate and conduct an annual fair within the county" as to counties of the third to the eighth class inclusive

The act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances, but providing for the acknowledgment, recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" as to counties of the third to the eighth class inclusive

The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 649) entitled "An act authorizing counties to convey or lease property needed or convenient as a site for a county courthouse to the general state authority to acquire addtiional property for such purposes and to contract with and lease property from said authority" as to counties of the third to the eighth class inclusive

The act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 300) entitled "An act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county" as to counties of the fourth class.

Section 2902 General Repeal All other acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted, "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 47, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thiryt-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild anima's and amending revising consolidating and changing the law relating thereto" by requiring red markings on the back of hunters.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 51 on second reading, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86, entitled:

An Act to further amend Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the purposes and powers of Authorities to include housing projects and authorizing the leasing and fixing of rentals in the operation thereof.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend Section 1, (Section 4), page 4, line 2, by striking out after the word "use" the following: "when such motor buses are to be used within any municipality."

On the question,

Will the Senate agree to the amendment?

Mr. WATKINS. Mr. President, I have no objections to these amendments, but I understand there are more to follow. I would like to advise Senator Dent that he will not recognize the bill when they get through with it.

The PRESIDENT. Does the Senator from Westmore'and comprehend what the Senator from Delaware suggested?

Mr. DENT. If he is suggesting I have any more amendments, he is wrong, because I have not.

The PRESIDENT. Perhaps we should not get the cart before the horse.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The second section and the title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 89, on second reading, entitled:

An Act to add subsection (d) to Section 1013 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses to yield the right of way after riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring vehicles street cars and trackless trolley omnibuses to yield the right of way after stopping at an intersection marked with an official "Stop" sign

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 110, on second reading, entitled:

go over in its order.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the epartment of Revenue the epartment of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 215, on second reading, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the administration of the fiscal affairs of the county institution districts regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property in trust and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 304, on second reading, entitled:

An Act to further amend Section 3 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-one (P. L. 276) entitled, as last amended, "An act requiring persons, partnerships, associations, or corporations advertising for or soliciting business as adjusters of claim within this Commonwealth for loss or damage arising out of policies of insurance, surety, or indemnity on property, persons, or insurable business interests within this Commonwealth, to be licensed by the Insurance Commissioner; requiring persons, partnerships, associations, or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner; regulating the issuance and revocation of such licenses; prescribing certain conditions for the transaction of such business, providing for the filing of bonds by public adjusters and public adjuster solicitors, and for recovery thereon by parties in interest; and providing penalties," by further regulating the licensing and conditions for transaction of such business.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 349, on second reading, entitled:

An Act to further amend the act aproved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign

societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 382, entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by merging the State Employes' Retirement Board and the Public School Employes' Retirement Board and establishing within the Insurance Department a joint board known as the State and Public School Employes' Retirement Board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 383, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by appropriating certain money in the Motor License Fund to the Department of Public Works for highway purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 384,entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as a departmental advisory board in the Insurance Department the State Investment Council and prescribing its powers duties and personnel

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, we defeated the bill the other day to put the Pennsylvania State Police under the jurisdiction of the Attorney General's Office.

Therefore, Mr. President, I move that Senate Bill No. 385, on second reading, entitled:

An Act to further amend Sections 4 and 7 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" by making money in the Motor License Fund available to the Department of Justice for the use of the Pennsylvania State Police be recommitted to the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 390, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers' Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and

other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commisssions shall be determined," by transferring the powers and duties relating to rehabilitation of injured workmen from the Department of Labor and Industry to the Department of Health and Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 407, entitled:

An Act authorizing the Department of Public Assistance to reduce to judgment claims for restitution of assistance wrongfully received and providing for the collection of such judgments from wages earnings debts and income from trusts or profits due the judgment debtor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 408, entitled:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustee of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 409, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditotr of the Commonwealth" by requiring the Department of the Auditor General to make annual audits of the affairs of county boards of assistance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 410, entitled:

An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 411, entitled:

An Act to repeal the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 412, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Department of Commerce and terminating the terms of its officers and employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 413, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Department of Mines transferring the powers and duties of the Department of Mines and the Secretary of Mines to the Department of Labor and Industry and the Secretary of Labor and Industry eliminating certain duties of the Department of Labor and Industry relating to the prevention of industrial accidents to persons and making appropriations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 414, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making the Banking Board the Building and Loan Board and the Consumer Credit Board departmental administrative boards in the Department of Banking prescribing their powers and duties and abolishing the Board to License Private Bankers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departmens boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments board commissions and officers fixing the salaries of the Governor Lieuenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Financial Institutions transferring to it the powers and duties of the Department of Banking and the Insurance Department providing for a Secretary of Financial Institutions defining his powers and duties abolishing the Department of Banking and the Insurance Department conferring additional powers and imposing additional duties upon the Department of State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 416, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers hereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 417, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including he boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring to the Department of Forests and Waters the powers and duties of the Department of Healh relating to water pollution the powers and duties of the Department of Internal Affairs relating to the conduct of the topographic and geogolic survey the powers and duties of the Department of Highways relating to management and development of the roadside within the right of way of State highways transferring the Sanitary Water Board from the Department of Health to the Department of Forests and Waters and constituting it a departmental administrative board in such department and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 418, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring to the Department of State certain powers and duties of the Department of Internal Affairs and Department of Forests and Waters and the board of such departments administering certain of such transferred powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 421, entitled:

An Act to amend the title and the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by changing the defintions of "Board" and "Department" changing the name of the department responsible for the issuance of licenses and transferring the State Board of Funeral Directors from the Department of Health to the Department of State.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 422, entitled:

An Act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thou-

sand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this and repealing certain acts" by increasing certain fees.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 423, entitled:

An Act to amend sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by increasing certain fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 424, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 425, entitled:

An Act to further amend sections four five and ten of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 427, entitled:

An Act to amend section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for vioations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act to amend the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penalties and repealing certain acts" by increasing certain fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for definciencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judge of the Court of Common Pleas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 743, on second reading, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to th wife or husband or legal representative of such deceased member

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceed to the first reading and consideration of House Bill No. 47, entitled:

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceed to the first reading and consideration of Senate Bill No. 324, entitled:

An Act relating to support of dependents; providing a procedure for enforcement thereof, including attachment of property and earnings; conferring powers and imposing duties upon courts, district attorneys and probation officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceed to the first reading and consideration of Senate Bill No. 325, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceed to the first reading and consideration of Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceed to the first reading and consideration of Senate Bill No. 435, entitled:

An Act to add section 308 to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceed to the first reading and consideration of House Bill No. 485, entitled:

An Act to further amend Section 1 of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceed to the first reading and consideration of House Bill No. 917, entitled:

An Act to add Section 6.1 to the act approved the twenty-first day of April one thousand nine hundred forty-

nine (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" by providing for emergency amendments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. STEVENSON. Mr. President, I move that House Bill No. 917, Printer's No. 105, the bill which was just read for the first time, be recommitted to the Committee on Local Government, for the purpose of a public hearing.

Mr. DiSILVESTRO. Mr President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, April 15, 1953, at 12:00 o'clock m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:00 o'clock p. m., Eastern Standard Time, until Wednesday, April 15, 1953, at 12:00 o'clock m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 14, 1953

The House met at 2:00 p. m.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend Charles F. Trunk, Jr., guest Chaplain and Pastor of the Bethlehem Lutheran Church, Green and Cumberland Streets, Harrisburg, offered the following prayer:

Lord of our life, we stop for a moment that we may think of Thee; for we need Thy wisdom, Thy power, and Thy peace. Help us see what is eternal, so that we can know what is only of passing value. Help us to tax our spiritual strength lest we tax Thy patience. Make us walk with our highest ideals and act with our noblest purposes as did Thy Son, in Whose Name we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any correction to the Journal of Monday, April 13, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Monday, April 13, be postponed unti the Journal is in print.

The motion was agreed to.

STUDENTS OF NEWPORT UNION SCHOOLS WELCOMED

The SPEAKER. We have with us today as guests of the House students of the eleventh and twelfth grades of Newport Union Schools under the supervision of Prof. Kipp and Prof. Houser. They are the guests of the gentleman from Perry, Mr. Toomey.

STUDENTS OF READING HIGH SCHOOL WELCOMED

The SPEAKER. We also have with us today students from the Reading High School, Berks County, under the supervision of their teachers, Mr. Norman Brillhart and Mr. Owen White. They are the guests of the gentlemen from Berks, Messrs. Readinger and Kubacki.

STUDENTS OF WEST READING HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes a delegation of students from the West Reading High School, Berks County, under the supervision of their teachers, Mrs. Greth, Miss Gantz and Messrs. Koch and Shalter. They are the guests of the gentleman from Berks, Mr. Weidner.

STUDENTS OF ALLENTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Problems of Democracy Class of the Allentown High School under the supervision of their teacher Ruth M. Kistler. They are the guests of the Members from Lehigh, Mrs. Markley, Mr. Van Sant and Mr. Stimmel.

STUDENTS OF FRIENDS CENTRAL SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House, the seventh grade class of Friends Central School, Overbrook, Philadelphia, under the supervision of their teacher, Mr. Cyril Harvey.

One of the members of the class is Marjorie Schwartz, daughter of the gentleman from Philadelphia, Mr. Schwartz. Also in the group is Chantal Citot of France, an exchange student.

They are the guests of the gentleman from Philadelphia, Mr. Schwartz and the gentleman from Montgomery, Mr. LaFore.

STUDENT OF SCHWENKSVILLE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House the Senior Class of the Schwenksville High School under the supervision of their teacher Mr. Henry. They are the guests of the gentleman from Montgomery, Messrs. Lafore, Thomas H. W. Jones, Bolton, Kratz and Willaredt.

ANNOUNCEMENTS

There will be a Democratic Caucus in the Old House Caucus Room immediately upon the announcement of a recess.

The bi-annual dinner of the Pennsylvania Legislative Sons of St. Patrick will be held this evening, Tuesday, April 14, at 7:30 p. m. sharp in the ballroom of the Penn-Harris Hotel.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for fifteen minutes. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

FORMER MEMBER OF BRITISH PARLIAMENT WELCOMED

The SPEAKER. We have with us today as a guest, and the Chair welcomes him to the Hall of the House, Honorable William D. Kendell a former Member of the House of Parliament of England from 1942 to 1950. Mr. Kendell is now a resident of Pennsylvania.

The SPEAKER. The Chair requests the gentleman from Lancaster to please come to the rostrum so that he may preside as Speaker for part of today's session.

Mr. ROYER IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Mr. HELM. HOUSE BILL No. 1082.

An Act to provide revenue for school districts of the first class A by imposing a tax on real estate in such districts for general public school purposes, and providing for its levy and collection.

Referred to the Committee on Education.

By Mr. HELM. HOUSE BILL No. 1083.

An Act to amend subsections (a) and (b) of Section 663 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain

provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the maximum amount of the authorized per capita tax levy in school districts of the first class A.

Referred to the Committee on Education.

By Mr. HELM. HOUSE BILL No. 1084.

An Act to provide revenue for school districts of the first class A by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education and school treasurer in such districts; and prescribing penalties.

Referred to the Committee on Education.

By Mr. HELM. HOUSE BILL No. 1085.

An Act to repeal the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities; and providing compensation for certain officers, and employes and imposing penalties," and providing for the collection of delinquent taxes thereunder following repeal.

Referred to the Committee on Education.

By Mr. HELM. HOUSE BILL No. 1086.

An Act to add section 1-A to the act, approved the fifteenth day of April, one thousand eight hundred seventy-three (P. L. 75), as amended, entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

Referred to the Committee on State Government.

By Mr. MOSCRIP. HOUSE BILL No. 1087.

A Joint Resolution proposing amendments to article sixteen of the Constitution of the Commonwealth of Pennsylvania to delete therefrom sections four, six and seven regulating private corporations in certain particulars.

Referred to the Committee on Judiciary.

By Mr. STRAUSSER. HOUSE BILL No. 1088.

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred and one (P. L. 431), entitled "An act defining the rights and liabilities of parties to, and regulating the effect of contracts for work and labor to be done, and labor or materials to be furnished, to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, tollroad, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipeline, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold air, or any other substance furnished to the public; well for the production of gas, oil, or other volatile or mineral substance; or other structure or improvement of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto," by including a journeyman craftsman or laborer within the definition of a subcontractor as contained therein.

Referred to the Committee on Judiciary.

By Mr. HOCKER. HOUSE BILL No. 1089.

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennslylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by removing the time limitation of sixty days for filing local option petitions, so that the provisions of the Pennsylvania Election Code will apply.

Referred to the Committee on Liquor Control.

By Mr. KENT. HOUSE BILL No. 1090.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining certain terms, extending hospital employe coverage and continuing the right of the low-rate members to transfer to the high-rate plan by reducing the required length of service to earn a minimum retirement by providing occupational death benefits, by liberalizing occupational disability benefits and by increasing prior service obligations.

Referred to the Committee on State Government.

By Mr. READINGER. HOUSE BILL No. 1091.

An Act to amend Section 414 and to add subsection (e) to Section 501 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of

their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for issuance of special registration plates to licensed operators of amateur radio stations; requiring the secretary to furnish to sheriffs lists of such special registrations and requiring sheriffs to maintain such lists.

Referred to the Committee on Motor Vehicles.

By Mr. TOMPKINS. HOUSE BILL No. 1092.

An Act allowing the declarations of a deceased or insane person to be received in evidence, if the trial judge finds that the declarations were made in good faith before the commencment of the action upon the personal knowledge of the declarant, and repealing inconsistent legislation.

Referred to the Committee on Judiciary.

By Mr. TOMPKINS. HOUSE BILL No. 1093.

An Act allowing witnesses to give opinion evidence with evidence with certain exceptions.

Referred to the Committee on Judiciary.

By Mr. TOMPKINS. HOUSE BILL No. 1094.

An Act providing for the exercise of the right of eminent domain by certain corporations, with certain restrictions, exceptions and limitations, and preserving the jurisdiction of the Pennsylvania Public Utility Commission.

Referred to the Committee on Public Utilities.

By Mr. TOMPKINS. HOUSE BILL No. 1095.

An Act to add section seven hundred twenty-three point one to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any prisoner to hold a guard, or any other person, as a hostage in a penal institution.

Referred to the Committee on Law and Order.

By Messrs. THOMAS, MORAN and OLSEN. HOUSE BILL No. 1096.

An Act prohibiting the commission or advocacy of acts intended to effect the overthrow of the Constitution or Government of the United States or the Constitution or Governmen of the State of Pennsylvania or of any political subdivision hereof by violence or other unlawful means, or to attempt to conspire so to do; defining subversive organizations and making them illegal; and providing penalties.

Referred to the Committee on Law and Order.

By Messrs. WATERHOUSE and ANDREWS. HOUSE BILL No. 1097.

An Act to further amend subsection A of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second Class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal for the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by removing theatres and motion picture places as a subject of taxation.

Referred to the Committee on Municipal Corporations.

By Mr. LOVETT. HOUSE BILL No. 1098.

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

Referred to the Committee on Ways and Means.

By Mr. BULLEN. HOUSE BILL No. 1099.

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County and in Philadelphia.

Referred to the Committee on Appropriations.

By Mr. BARKDOLL. HOUSE BILL No. 1100.

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting, transporting, cooking and feeding garbage to swine; providing for the licensing of such business and cancellation of such licensing; authorizing the Department of Agriculture to promulgate rules and regulations therefor; imposing certain duties upon said department; and providing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. FROST. HOUSE BILL No. 1101.

An Act providing for the administration of a state-wide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto.

Referred to the Committee on Public Health and Sanitation.

By Mr. KELLER. HOUSE BILL No. 1102.

An Act to amend Sections 1084 and 1086 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by permitting the appointment of additional teachers and providing for their compensation and payment of traveling expenses for supervisors and teachers.

Referred to the Committee on Education.

By Messrs. ADAM and YETZER. HOUSE BILL No. 1103.

An Act providing for a research program by the Agricultural School and Agricultural Experiment Station of the Pennsylvania State College, relating to the development of improved breeds of animals and varieties of plants and animals; requiring such information to be made available to farmers upon request; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. RAGOT and IDE. HOUSE BILL No. 1104.

An Act to further amend the act approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by increasing the license fee and providing for the posting of bonds or collateral by dealers.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. GIBSON. HOUSE BILL No. 1105.

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 704), entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof, to the flooding and use by holders of limited power permits of islands owned by the Commonwealth, to the unlawful use for water or stream power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits, and to proceedings for the enforcement of this act," by suspending and postponing for a certain period provisions relating to steam power dams within the jurisdiction of the United States.

Referred to the Committee on Game and Forestry.

By Mr. CLAPPER. HOUSE BILL No. 1106.

An Act to add clause (1) to section two thousand one hundred two of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing and making it the duty of the Department of Health to provide limited training in the field of public health work for certain State and municipal employes.

Referred to the Committee on State Government.

By Mr. GOODLING. HOUSE BILL No. 1107.

An Act to add clause (o) to section two hundred fourteen of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the use of poison for wildlife management.

Referred to the Committee on Game and Forestry.

By Messrs. GOODLING and FROST. HOUSE BILL No. 1108.

An Act to amend clause (3) of Section 5 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by removing the five-year financial experience requirement as to obligations of authorities constructing public school buildings.

Referred to the Committee on Education.

By Mr. BANKER. HOUSE BILL No. 1109.

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certain deductions for the calendar year, one thousand nine hundred fifty-three and thereafter; and providing for disposition of taxes, penalties, fines, and bail forfeitures collected.

Referred to the Committee on Ways and Means.

By Mr. KUBACKI. HOUSE BILL No. 1110.

An Act to add Section 402.1 to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring proof of liability insurance owned by owners of motor vehicles, trailers or semi-trailers at the time of registration thereof.

Referred to the Committee on Motor Vehicles.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DUNN. RESOLUTION No. 47.

In the House of Representatives, March 13, 1953.

From the inception of the Republic, the Commonwealth of Pennsylvania has always held a commanding leadership among its sister states.

Therefore, the symbolism of a Keystone—to describe this early strategic importance of Pennsylvania—is not merely a rhetorical flourish.

During the critical years that followed the Revolution, when our country was suffering the birth-pangs of a viable existence, the Commonwealth of Pennsylvania truly served as a Keystone to impart strength and stability to the democratic arch of incongruous and loosely joined members that became the United States.

Moreover, this tradition of a Keystone role has evolved throughout the intervening years into a still greater reality. For, today, Pennsylvania with her wealth and productivity, with her industrial and agricultural potential, with her transportation facilities and cultural achieve-

ments is not only a Keystone in the architectural pattern of the foremost Nation, but has assumed her rightful preeminence among its many states.

This theme of Pennsylvania's Keystone role should not be slighted, nor suppressed. As a Keystone, Pennsylvania is, indeed, an essential part of the broad span of American ideals and culture that arches the flood of present world unrest; therefore be it

Resolved, That the Keystone as a symbol of Pennsylvania's prestige and prominence be reaffirmed; and be it further

Resolved, That this House recommend that the Secretary of Revenue authorize the incorporation of the Keystone in the design of the motor vehicle registration plates to the end that the emblem of the Keystone be widely acepted as symbolic of the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 29.

An Act to further amend section 717.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for inspection certificates

HOUSE BILL No. 105.

An Act to amend Section 1222 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and liensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing secretary's fees for supplying certain information

With the information that the Senate has pasesd the same without amendment.

BUCKS COUNTY COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER. The Chair welcomes to the House members of the Bucks County Council of Republican Women. They are the guests of the gentlemen from Bucks, Messrs. Yeakel and Keller.

MEMBERS OF LANCASTER COUNTY LEAGUE OF WOMEN VOTERS WELCOMED

The SPEAKER. We are also happy to have with us today members of the Lancaster County League of Women Voters. They are guests of the gentlemen from Lancaster, Messrs. Wood, Royer, Bomberger and Paul G. Murray.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 13, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 20, 1953 at four o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, April 20, 1953 at four-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 19, 21, 122, 201, 282, 285, 357, 360 and 391.

REPORTS FROM COMMITTEES

Mr. GLEASON from the Committee on Game and Forestry, reported as committed, House Bill No. 83, entitled:

An Act to add Section 13.2 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing minimum allowances for certain beneficiaries and appropriations for the payment of the costs thereof.

Mr. WILT from the Committee on Game and Forestry, reported as amended, House Bill No. 194, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June, one thousand nine hundred thirty-seven, (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by providing additional penalties and for mandatory revocation of hunting and trapping rights.

Mr. JIM from the Committee on Game and Forestry, reported as committed, House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

Mr. SCHMIDT from the Committee on Judiciary, reported as amended, House Bill No. 343, entitled:

An Act exempting owners, operators and licensees of radio or television broadcasting stations and their agents, servants and employes from liability for publication of defamatory matter in certain cases.

Mr. WILLIAMS from the Committee on Motor Vehicles, reported as committed, House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund and service requirements on the State debt.

Mr. LAFORE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 626, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townsships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties imposing certain costs on counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the length of tractors and combinations of vehicles; further limiting where informations charging violations of summary provisions of said act may be brought.

Mr. BAUMUNK from the Committee on Game and Forestry, reported as committed, House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake, in Crawford County.

Mr. LAFORE from the Committee on Motor Vehicles, reported as committed, House Bill No. 688, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolly omnibuses, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by regulating the transfer and temporary use of registration plates for motor vehicles, trailers and semi-trailers in cases involving husband and wife.

Mr. ZIEGLER from the Committee on Judiciary, reported as committed, House Bill No. 823, entitled:

An Act to amend section 1 of the act, approved the twenty-second day of April, one thousand nine hundred twenty-nine (P. L. 620) entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate, or interest in real estate, unless a certificate is attached to said instruments giving the precise residence of the grantee or grantees named therein; and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of real estate," by requiring the certificate of the grantees to contain their complete post office address.

Mr. SCHWARTZ from the Committee on Motor Vehicles, reported as committed, House Bill No. 883, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by redefining certain terms; and eliminating and changing certain provisions relating to lighting equipment.

Mr. CIANFRANI from the Committee on Motor Vehicles, reported as committed, House Bill No. 889, entitled:

An Act to amend Section 1219 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for

the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating the removal of wrecked and abandoned automobiles.

Mrs. COYLE from the Committee on Motor Vehicles, reported as committed, House Bill No. 893, entitled:

An Act to further amend clause 2 of subsection (b) and subsection (d) of section 1002 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the restrictions as to speed.

Mr. CONNER from the Committee on Motor Vehicles, reported as committed, House Bill No. 895, entitled:

An Act to further amend section 1004 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by prohibiting driving on the wrong side of a divided highway.

Mr. TOLL from the Committee on Judiciary, reported as committed, House Bill No. 1007, entitled:

An Act to amend Section 2 of the act, approved the nineteenth day of May, one thousand eight hundred eighty-seven (P. L. 138), entitled "An act providing for the payment of costs in criminal cases by the proper county," by allowing the district attorneys of the several counties necessary expenses, in cases appealed to any appellate court of this Commonwealth or of the United States.

Mr. WILLAREDT from the Committee on Game and Forestry, reported as committed, House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit.

Mr. SHOTWELL from the Committee on Game and Forestry, reported as committed, House Bill No. 1079, entitled:

An Act to amend Subsection (6) of Section 315 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by changing the procedure of reviewing cases where licenses have been revoked of resident licenses.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 885, entitled:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of surveyors not resident in the county to boards of viewers in counties of the eighth class

The first section was read.

On the question,

Will the House agree to the section?

Mr. DAVIS offered the following amendments:

Amend Sec. 1 (Sec. 171), page 2, line 15, by inserting after the word "be" the following: "registered."

Amend Sec. 1 (Sec. 171), page 2, line 16, by inserting after the word "no" the following: "registered."

Amend Sec. 1 (Sec. 171), page 2, line 17, by inserting after the word "county" where it appears the first time "registered."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. DAVIS offered the following amendment:

Amend title, page 1, next to last line of title, by inserting after the word "of" the following: "registered."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being on objection
Senate Bill No. 7, Printer's No. 13,
Senate Bill No. 9, Printer's No. 16, and
Senate Bill No. 76, Printer's No. 36
were passed over at the request of the SPEAKER pro tempore.

BILLS ON SECOND READING POSTPONED

TIME EXTENDED ON BILL

Mr. BOLTON asked and obtained unanimous consent to extend the time five days on House Bill No. 141, Printer's No. 56, on page 3 of today's calendar, bills on second reading postponed.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,
House Bill No. 120, Printers No. 108,
House Bill No. 908, Printers No. 122, and
House Bill No. 909, Printers No. 123,
were passed over at the request of the SPEAKER Pro tempore.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 333 as follows:

An Act To further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 1 Be it enacted &c That several cities of this Commonwealth incorporated by the general or special laws shall establish by ordinance a police retirement fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three and one-half per centum of the pay of such member and by annual appropriations made by the city which fund shall be under the direction of councils or committed to the direction of such officers of the city as may be designated by councils and applied under such regulations as councils may by ordinance prescribe for the benefit of such members of the police force as shall recieve honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such retirement allowances as shall be made to those who are retired by reason of the disabilities or age shall be in conformity with a uniform scale

The annual approporiation made by the city each year shall be sufficient when added to the contributions made by the members of the police force during such year and income from investments to pay in full the retirement allowances and in the cities of the first class only the service increments payable during such year

Such ordinance may prescribe a minimum period of continous service not less than twenty years and a minimum age of fifty years after which members of the force may be retired from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Payments made under the provisions of this section shall not be a charge on any other fund in the treasury of the city or under its control save the police retirement fund herein provided for The basis of the apportionment of the retirement allowances shall be determined by the rate of the monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 2 Said act is hereby further amended by adding thereto after section one a new section to read as follows

Section 1.1 In every city of the first class addition to the retirement allowance which is authorized by this act and notwithstanding the limitations therein placed upon retirement allowances and upon contributions every contributor who shall become entitled to the retirement allowance and who has reached the age of fifty years shall also be entitled to the payment of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years after the completion of twenty years service which a contributor has been employed by such city and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act In computing the service increment no employment after the contributor has reached the age of sixty-five years shall be included and no service increment shall be paid in excess of one hundred dollars ($100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the retirement fund a monthly sum in addition to his or her retirement contribution which shall be equal to one-half of one per centum of his or her salary Provided That such payment shall not exceed the sum of one dollar ($1.00) per month And provided That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Service increment contributions shall be paid at the same time and in the same manner as retirement contributions and may be withdrawn in full without interest by persons who leave the employment of such city subject to the same conditions by which retirement contributions may be withdrawn When any person is re-employed by the city after withdrawal or retirement contributions his or her prior service shall not be used in the compution of service increment unless the amount of such contributions be repaid into the retirement fund subject to the same conditions by which retirement fund withdrawals are permitted to be repaid

(5) All employes of such city who are now contributors to the retirement fund and all persons who are employed by such city after the effective date of this amendment who are required to become contributors to the retirement fund shall be subject to the provisions of this section

On the question,
Will the House agree to the bill on the third reading?
It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOLL. Mr. SPEAKER, in connection with House Bill 33, I will make some remarks which could also very well be attributed to House Bills 334 and 335, so that if I am a little bit long, although I hope not too long on this one, it will be because I do not intend to repeat the same argument for the next two bills.

In the first place let me call your attention to the fact that this bill 333 relates to the retirement fund in cities of the first class. We have in Pennsylvania only one city of the first class and that is the city of Philadelphia.

Secondly, let me call your attention to the fact that to the Pennsylvania Constitution, in 1922 an amendment was adopted which permits cities to be given the right to frame and adopt their own charters. Now, pursuant to that provision of the Constitution, in 1949 this Assembly passed an enabling act which provides for first class city home rule, which was subsequently adopted by the people of Philadelphia in April of 1951.

Under the provisions of this Home Rule Act the city of Philadelphia adopted a charter, and in the charter the city provided for a board of pensions and retirement. Now this board has charge of the subject matter which is covered by House Bill 333.

I call your attention to the fact that this House bill was introduced in a similar form in the last session of the Assembly. When it was introduced, it passed the House and it passed the Senate. But it was vetoed by His Excellency the Governor of Pennsylvania.

If the majority side will permit me I would like to read the Governor's veto. In the 1951 session it was veto message No. 4.

'To the Honorable House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 569, Printer's No. 239, entitled "An Act to further amend the act approved the 24th day of May one thousand eight hundred and ninety-three, (P. L. 129) entitled 'An act to empower the boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same' by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement."

The proposed amendment, relating only to cities of the first class, would, in addition to the other retirement benefits provide for a "service increment" allowance. This allowance would be accorded any member who, after reached the age of fifty, and after having completed sufficient prior service to become eligible for retirement, nevertheless continues in active service.

Section 6-600 of the City Charter of Philadelphia vests in a Board of Pensions and Retirement the function of formulating and submitting to city council for consideration and enactment a comprehensive retirement system covering all city employes. I feel that inasmuch as the City Charter of Philadelphia was adopted by the electorate of that city on April 7, 1951, it would be inappropriate for the General Assembly to reassume those powers so recently conferred upon the voters of Philadelphia.

For these reasons the bill is not approved."

Under the Charter the board of Pensions and Retirement,are now working on this very subject matter. There is no quarrel with the benefits which will be given to the policemen under this bill. I understand that these benefits are now enjoyed by the policemen of the city. But as far as the gift to the city by this Assembly for home rule is concerned, I ask the Members of the Assembly to permit the city council of Philadelphia and the city to handle this problem as a local problem, since as the Governor so aptly stated "you have given the city of Philadelphia the opportunity to handle the subject'; why take it away".

I therefore urge you to vote against the bill.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I would like to say to the gentlemen from Philadelphia, Mr. Toll, that I introduced these three bills, which are companion bills, at the request of the officers and directors of the Police Pension Association of Philadelphia.

The principle purpose in requesting me to introduce these bills is simply to give the policemen of Philadelphia who have served our city faithfully and well and are now enjoying some of their thrift and savings contributing to this fund, a little extra insurance.

It is true the home rule city charter act adopted by the people, and there is a board of pensions and retirement incorporated in that act to handle certain pension matters. However, the new administration in the city of Philadelphia was elected approximately fifteen months ago, and certainly with the so-called experts who are affiliated with the administration and supposed to have an important voice in the Police Pension Fund Association, during the last fifteen months they could have done something to satisfy the officers and directors of this fund.

If they had accomplished this I wish to assure every Member that those gentlemen would not be back in Harrisburg to have a bill passed in this session of the General Assembly for that to which they are rightly entitled.

I would like to make it unmistakably clear that these bills should not be controversial. Every Member on both sides of the House can vote in favor of House Bills 333, 334, and 335, because the provisions of these three bills are simply to conform with the bylaws of the Police Pension Fund.

As a matter of fact the provisions of House Bill 333 are in Article X, Section 2, page 32 of the bylaws; 334, are in Article II, Section 2, page 12 of the bylaws; 335, are in Article XI, Section 2, page 38 of the bylaws. It will not cost the Commonwealth of Pennsylvania one cent, it will not cost any additional money to the taxpayers of Philadelphia if these bills are enacted.

But I wish to assure the Members of the General Assembly that the retired policemen—and there is a large number of those men in the City of Philadelphia—and they have contacted me regularly at my home during the past several weeks and several months, requesting that we enact these bills.

The new Board of Pensions and Retirement in Philadelphia could have granted the provisions of this bill to have them simply comply with the bylaws within a matter of one day in one meting. But for various and unknown reasons they have not seen fit to comply with the wishes of the policemen and their officers and directors in the City of Philadelphia.

I request that every Member on both sides of the House vote in favor of 333 which we are discussing now, and inasmuch as the other two are companion bills, I hope that Mr. Toll will be agreeable to accept the same roll call to eliminate the necessity of wasting time with two extra roll calls.

I ask the Members to vote in favor of these three bills.

Mr. LEDERER. Mr. Speaker, I would like to make a few brief remarks regarding these three Police Pension Fund bills of Philadelphia.

In the Charter, chapter VI, Board of Pensions and Retirement, Section 6-600, Pensions and Retirement Systems. Within one year after the effective date of this charter, the Board of Pensions and Retirement shall prepare, with the aid of the law department, and submit to the council for consideration and enactment a comprehensive, fair and actuarially sound pension and retirement system covering all officers and employes of the city, except that any system proposed and ordained shall not impair or diminish the rights of officers and employes under any pension or retirement system in force at the time of adoption of this Charter, and except that separate systems shall be maintained for the city policemen and firemen as long as payments by the Commonwealth of Pennsylvania from funds from taxes paid upon net premiums by foreign casualty and fire insurance companies render it desirable.

Mr. Speaker, I think these three companion bills are very good bills and they do not cost the city of Philadelphia one cent.

Last October, I understand, at the Police Pension Fund meeting in 1951, the Board of Directors, which is composed of the Commissioner of Police, the Deputy Commissioner and all the other directors who are policemen, and four councilmen—one was absent, Jim Finnegan—approved these bills. Therefore, I am asking every Member of this House to vote for these bills.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Hamilton, permit himself to be interrogated?

Mr. WILBUR H. HAMILTON. I shall, Mr. Speaker.

Mr. ANDREWS. Is the bill an administration bill?

Mr. WILBUR H . HAMILTON. An administration bill sponsored by His Excellency the Governor, do you mean?

Mr. ANDREWS. That is what I mean.

Mr. WILBUR H. HAMILTON. I did not consult His Excellency the Governor, no.

Mr. ANDREWS. Is this bill a party bill?

Mr. WILBUR H. HAMILTON. This bill is good legislation, in the interest of the retired policemen of the City of Philadelphia, and the the members of the Republican party and our caucus are going to support the three bills.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, if this House desires to open the gate to all the controversies that will arise under the Philadelphia Charter, before that Charter gets settled down into its interpretative form, that is all right with me; I have got lots of time.

I have spent a considerable part of my legislative life listening to controversies arising in Philadelphia. It was our fond hope and expectation that when we opened the door, gave Philadelphia the right to frame its Charter, to function on its own, that at long last we had gotten the quarrels of Philadelphia out of our hair. I think that during my tenure here I have spent five years almost—it seems that way, listening to the controversies from Philadelphia largely based upon factional or political dickering. Now if we open the door to this quarrel, and then open the door to some other quarrel and then open the door to another quarrel, when are we going to get rid of this Philadelphia factional quarrelling? We gave them their Charter. It is their business to live under it. If the councilmen do not do their duty under the Charter the people of Philadelphia have their remedy. If the Mayor of Philadelphia does not function under the Charter, impeach him; get rid of him. But, gentlemen, let us not open the door to the quarrels of Philadelphia, quarrels that can be adjudicated under the terms of the Charter that the people of Philadelphia have adopted.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I fully appreciate the position of the Minority Leader, but recently, just in case he did not see this article in the paper, the Attorney General rendered an opinion that the City of Philadelphia is still a county. In Pennsylvania we do not have 66 counties and one city, and I presume just as long as we have 41 Members of the Legislature from Philadelphia, the Minority Leader, whether he enjoys it or not, of course, will have to listen, concentrate and pay attention to bills pertaining to the City of Philadelphia. I realize there are a lot of people who would like to transfer Philadelphia to Camden—give it back to the Indians. However, as long as we are a part of the Commonwealth, I assure the gentleman we will be interested in constructive legislation for the benefit of all the people, regardless of political affiliations.

Mr. ANDREWS. Mr. Speaker, I desire to assure the gentleman from Philadelphia that we would not part with Philadelphia under any consideration. We love the people of Philadelphia; it is the city of Brotherly Love according to the advertisements of 150 years and I wish to goodness they would begin living up to their prospectus.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Amarando,	Gleason,	Markley,	Snider,
Ashton,	Glick,	Mathews,	Spencer,
Auker,	Goodling,	McCann,	Stevenson,
Banker,	Gramlich,	McCormack,	Stimmel,
Barkdoll,	Gutendorf,	McCullough,	Stoner,
Baumunk,	Guthrie,	McGee,	Strausser,
Bear,	Hall,	McInroy,	Sucher,
Blair,	Hamilton, W. H.,	Metz,	Taylor,
Bolton,	Helm,	Mikula,	Thomas,
Bomberger,	Hersch,	Miller,	Thompson,
Boory,	Hewitt,	Monroe,	Tompkins,
Bower,	Hocker,	Moody,	Toomey,
Breisch,	Ide,	Moran,	VanSant,
Brown,	Jenkins,	Moscrip,	Varallo,
Buchanan,	Johnson,	Muldowney,	Varner,
Bullen,	Jones, Geo. E.,	Munley,	Vaughan,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Verona,
Clapper,	Jones, T. H. W.,	Murray, P. G.,	Wall,
Comer,	Jump,	Naugle,	Wargo,
Connelly,	Keller,	Needham,	Waterhouse,
Cooper,	Kent,	Ogilvie,	Watkins,
Coyle,	Kerlin,	Parlante,	Weidner,
Davis,	Kohl,	Peifly,	Wescott,
Dougherty,	Kolankiewicz,	Pettigrew,	Whalley,
Down,	Kratz,	Pfaff,	White,
Downey,	Kromer,	Phillips,	Willaredt,
DuBois,	Lafore,	Polaski,	Williams,
Dunn,	Lederer,	Price,	Wilt,
Erb,	Leisey,	Quisenberry,	Wood,
Ewing,	Leonard,	Ragot,	Worley,
Ferster,	Leven,	Reagan,	Yeakel,
Flack,	Light,	Rovansek,	Young,
Fleischman,	Limper,	Royer,	Zeitz,
Flynn,	Lippincott,	Rubin,	Ziegler,
Frost,	Lopresti,	Schuster,	Smith, C. C., Speaker
Geer,	Maguire,	Scott,	
Gibson,	Mahan,	Shotwell,	

NAYS—40

Adam,	Floyd,	McDermit,	Schwartz,
Alexander,	Guss,	McWherter,	Seyler,
Andrews,	Hamilton, R. K.,	Musto,	Smith, W. B.,
Bazin,	Harris,	Olsen,	Stank,
Breth,	Hoggard,	Peta,	Stone,
Bucchin,	Jim,	Polen,	Toll,
Cianfrani,	Jones, Paul F.,	Poltenstein,	Wallace,
Cioffi,	Kamyk,	Readinger,	Welsh,
Conner,	Kubacki,	Rosen,	Whitenight,
Curwood,	Lovett,	Sarraf,	Yetzer,
Farabaugh,			

NOT VOTING—20

Boies,	Haudenshield,	Mihm,	Richter,
Cochran,	Kline,	Mills,	Schmidt,
Fenrich,	Kornick,	Moore,	Shoemaker,
Filo,	Lutty,	Petrosky,	Walsh,
Greenwood,	Maxwell,	Reidenbach,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 334, as follows:

An Act to further amend Section 1 of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

The General Assembly of the Commonwealth of Penn-Sylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same," as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 1 Be it enacted &c That several cities of this Commonwealth incorporated by general or special laws shall establish by ordinance a police retirement fund to be maintained by an equal proportionate monthly charge against each member of the police force which shall not exceed annually three and one-half per centum of the pay of such member and by annual appropriations made by the city [which fund] In cities of the first class the fund shall be under the direction of the Board or Directors of the Pension or Retirement Fund Association and the president of Council and three members of council appointed by the president acting as members ex-officio of such board as provided for by the by-laws of the association In other cities the fund shall be under the direction of councils or committed to the direction of such officers of the city as may designated by councils [and] Such fund shall except in cities of the first class be applied under such regulations as councils may by ordinance prescribe and in cities of the first class shall be applied by the aforesaid Board of Directors for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such retirement allowances as shall be made to those who are retired by reason of disabilities or age shall be in conformity with a uniform scale

The annual appropriation made by the city each year shall be sufficent when added to the contributions made by members of the police force during such year and income from investments to pay in full retirement allowances payable during such year

[Such] In cities of the first class the Board of Directors and in other cities the ordinance may prescribe a minimum period of continuous service not less than twenty years and a minimum age of fifty years after which members of the force may be retired from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Payments made under the provisions of this section shall not be a charge on any other fund in the treasury of the city or under its control save the police retirement fund herein provided for The Basis of the apportionment of the retirement allowance shall be determined by the rate of the monthly pay of the member of the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreebaly to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Amarando,	Gleason,	Markley,	Shotwell,
Ashton,	Glick,	Mathews,	Snider,
Auker,	Goodling,	McCann,	Spencer,
Banker,	Gramlich,	McCormack,	Stevenson,
Barkdoll,	Gutendorf,	McCullough,	Stimmel,
Baumunk,	Guthrie,	McGee,	Stoner,
Bear,	Hall,	McInroy,	Strausser,
Blair,	Hamilton, W. H.,	Metz,	Sucher,
Bolton,	Helm,	Mikula,	Taylor,
Bomberger,	Hersch,	Miller,	Thomas,
Boory,	Hewitt,	Monroe,	Thompson,
Bower,	Hocker,	Moody,	Tompkins,
Breisch,	Ide,	Moran,	Toomey,
Brown,	Jenkins,	Moscrip,	VanSant,
Buchanan,	Johnson,	Muldowney,	Varallo,
Bullen,	Jones, Geo. E.,	Munley,	Varner,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Vaughan,
Clapper,	Jones, T. H. W.,	Murray, P. G.,	Verona,
Comer,	Jump,	Naugle,	Wall,
Connelly,	Keller,	Needham,	Wargo,
Cooper,	Kent,	Ogilvie,	Waterhouse,
Coyle,	Kerlin,	Parlante,	Watkins,
Davis,	Kohl,	Peifly,	Weidner,
Dougherty,	Kolankiewicz,	Pettigrew,	Wescott,
Down,	Kratz,	Pfaff,	Whalley,
Downey,	Kromer,	Phillips,	White,
DuBois,	Lafore,	Polaski,	Willaredt,
Dunn,	Lederer,	Price,	Williams,
Erb,	Leisey,	Quisenberry,	Wilt,
Ewing,	Leonard,	Ragot,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Flack,	Light,	Rovansek,	Yeakel,
Fleischman,	Limper,	Royer,	Young,
Flynn,	Lippincott,	Rubin,	Zeitz,
Frost,	Lopresti,	Schuster,	Ziegler,
Geer,	Maguire,	Scott,	Smith, C. C., Speaker
Gibson,	Mahan,		

NAYS—40

Adam,	Farabaugh,	Lovett,	Sarraf,
Alexander,	Floyd,	McDermit,	Schwartz,
Andrews,	Guss,	McWherter,	Seyler,
Bazin,	Hamilton, R. K.,	Musto,	Smith, W. B.,
Breth,	Harris,	Olsen,	Stank,
Bucchin,	Hoggard,	Peta,	Stone,
Cianfrani,	Jim,	Polen,	Toll,
Cioffi,	Jones, Paul F.,	Poltenstein,	Wallace,
Conner,	Kamyk,	Readinger,	Welsh,
Curwood,	Kubacki,	Rosen,	Whitenight,
			Yetzer,

NOT VOTING—20

Boies,	Haudenshield,	Mihm,	Richter,
Cochran,	Kline,	Mills,	Schmidt,
Fenrich,	Kornick,	Moore,	Shoemaker,
Filo,	Lutty,	Petrosky,	Walsh,
Greenwood,	Maxwell,	Reidenbach,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 335, as follows:

An Act to amend the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing for and regulating withdrawal of payments from the police pension funds in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" is hereby amended by adding after section 4 thereof the following new sections to read as follows

Section 5 The right of withdrawal of payments from the police pension fund shall apply to each member of the police force of any city of the first class who ceases to be an employe of such city for any of the following causes

(a) Discharge prior to being eligible for retirement benefits

(b) Resignation prior to becoming eligible for retirement benefits

(c) Death prior to receiving retirement benefits

(d) Death of any retired member of the police force who has not received in retirement benefits the full amount contributed by him to the police pension fund in which case the balance of the contribution shall be paid to his named beneficiary or beneficiaries

Section 6 The amount of money to be withdrawn shall be the total amount of monthly contributions paid into the police retirement fund by members of the police force of any city of the first class and the increment or additional contributions which amount shall be refunded to him in full without interest Any former member of such police force whose membership in the police force terminated prior to January first one thousand nine hundred forty-six and who is reinstated after January first one thousand nine hundred forty-six shall be entitled to withdraw only the total amount of contributions paid since his reinstatement

Wherever the word "withdrawal" is mentioned it will include the increment or additional payments which are part of the payments

Section 7 If reinstated to active duty as a member of the police force no repayment of the retirement benefits received shall be required but reapplication for active membership in the retirement fund and a new designated beneficiary certificate shall be executed and only the contributions paid after reinstatement to active membership shall be subject to the withdrawal

Section 8 (a) Every member of the police force shall acknowledge under oath on a form provided by council or the officer or officers designated by it to administer this act in which form there shall be designated the person to whom there shall be paid the amount provided for under Section 6 of this act

(b) The person or persons who may be designated shall be only the spouse children parents sisters brothers or grandchildren of the member of the police force The whole amount may be made payable to any one of the beneficiaries or it may be divided between the beneficiaries as such member directs

(c) This form of designation of beneficiaries shall be issued in duplicate The original shall be retained by the member and the duplicate shall be filed in the records of council or officers designated by council to administer this act The original copy shall be surrendered by a member of the police force or a beneficiary at the time of withdrawal payment or by a pensioner to the disbursing agent or agency after receiving a pension payment Where the original copy cannot be produced it shall be necessary for the beneficiary to file an affidavit to that effect with the disbursing agent or agency A member of the police force shall have the right at any time to change the beneficiaries by executing a new form and cancelling the prior one Payment to the beneficiary or beneficiaries named in the last dated designation held in the records of the council or officer designated by council to administer this act shall be full release of the fund from all claims by any beneficiaries named in any prior designations

Section 9 Upon death of any member of the police force who has not received a pension payment except in the case of any such member killed in action leaving dependents there shall be paid to the beneficiary or beneficiaries designated by him in accordance with this act the amount provided for in section 6 of this act Upon making such payment all liability of the pension fund to the beneficiaries heirs or estate of the deceased member of the police force shall be discharged and terminated

Section 10 Members of the police force or their beneficiaries desiring to withdraw in accordance with this act shall make application on a blank form which will be furnished upon request by the council or officer or officers designated by it to administer this act An affidavit of identification except by a member of the police force shall be presented in all cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Amarando,	Gleason,	Markley,	Shotwell,
Ashton,	Glick,	Mathews,	Snider,
Auker,	Goodling,	McCann,	Spencer,
Banker,	Gramlich,	McCormack,	Stevenson,
Barkdoll,	Gutendorf,	McCullough,	Stimmel,
Baumunk,	Guthrie,	McGee,	Stoner,
Bear,	Hall,	McInroy,	Strausser,
Blair,	Hamilton, W. H.,	Metz,	Sucher,
Bolton,	Helm,	Mikula,	Taylor,
Bomberger,	Hersch,	Miller,	Thomas,
Boory,	Hewitt,	Monroe,	Thompson,
Bower,	Hocker,	Moody,	Tompkins,
Breisch,	Ide,	Moran,	Toomey,
Brown,	Jenkins,	Moscrip,	VanSant,
Buchanan,	Johnson,	Muldowney,	Varallo,
Bullen,	Jones, Geo. E.,	Munley,	Varner,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Vaughan,
Clapper,	Jones, T. H. W.,	Murray, P. G.,	Verona,
Comer,	Jump,	Naugle,	Wall,
Connelly,	Keller,	Needham,	Wargo,
Cooper,	Kent,	Ogilvie,	Waterhouse,
Coyle,	Kerlin,	Parlante,	Watkins,
Davis,	Kohl,	Peifly,	Weidner,
Dougherty,	Kolankiewicz,	Pettigrew,	Wescott,
Down,	Kratz,	Pfaff,	Whalley,
Downey,	Kromer,	Phillips,	White,
DuBois,	Lafore,	Polaski,	Willaredt,
Dunn,	Lederer,	Price,	Williams,
Erb,	Leisey,	Quisenberry,	Wilt,
Ewing,	Leonard,	Ragot,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Flack,	Light,	Rovansek,	Yeakel,
Fleischman,	Limper,	Royer,	Young,
Flynn,	Lippincott,	Rubin,	Zeitz,
Frost,	Lopresti,	Schuster,	Ziegler,
Geer,	Maguire,	Scott,	Smith, C. C., Speaker
Gibson,	Mahan,		

NAYS—40

Adam,	Farabaugh,	Lovett,	Sarraf,
Alexander,	Floyd,	McDermit,	Schwartz,
Andrews,	Guss,	McWherter,	Seyler,
Bazin,	Hamilton, R. K.,	Musto,	Smith, W. B.,
Breth,	Harris,	Olsen,	Stank,
Bucchin,	Hoggard,	Peta,	Stone,
Cianfrani,	Jim,	Polen,	Toll,
Cioffi,	Jones, Paul F.,	Poltenstein,	Wallace,
Conner,	Kamyk,	Readinger,	Welsh,
Curwood,	Kubacki,	Rosen,	Whitenight,
			Yetzer,

NOT VOTING—20

Boies,	Haudenshield,	Mihm,	Richter,
Cochran,	Kline,	Mills,	Schmidt,
Fenrich,	Kornick,	Moore,	Shoemaker,
Filo,	Lutty,	Petrosky,	Walsh,
Greenwood,	Maxwell,	Reidenbach,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Charles C. Smith) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Lancaster, Mr. Royer, for presiding.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 549, as follows:

An Act to amend Section 3 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by fixing the time for payment of costs of aldermen and justices of the peace by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" as added by the act approved the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1053) is hereby amended to read as follows

Section 3 All costs payable by a county to any alderman or justice of the peace pusuant to the provisions of this act shall be due and payable to such alderman or justice of the peace within thirty days of the end of the calendar month in which transcripts were filed [or in which the county's liability was determined] Provided That such payment shall in no way alter any rights of such county to reimbursement for such costs

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Ashton,	Greenwood,	McCullough,	Shotwell,
Auker,	Guss,	McDermit,	Smith, W. B.,
Banker,	Gutendorf,	McGee,	Snider,
Barkdoll,	Guthrie,	McInroy,	Spencer,
Baumunk,	Hall,	McWherter,	Stank,
Bazin,	Hamilton, R. K.,	Metz,	Stevenson,
Bear,	Hamilton, W. H.,	Mihm,	Stimmel,
Blair,	Harris,	Mikula,	Stone,
Boies,	Haudenshield,	Miller,	Stoner,
Bolton,	Helm,	Mills,	Strausser,
Bomberger,	Hersch,	Monroe,	Sucher,
Boory,	Hewitt,	Moody,	Taylor,
Bower,	Hocker,	Moore,	Thomas,
Breisch,	Hoggard,	Moran,	Thompson,
Breth,	Ide,	Moscrip,	Toll,
Brown,	Jenkins,	Muldowney,	Tompkins,
Bucchin,	Jim,	Munley,	Toomey,
Buchanan,	Johnson,	Murray, J. J.,	VanSant,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Capano,	Jones, Gran'le E.	Musto,	Varner,
Cianfrani,	Jones, Paul F.,	Naugle,	Vaughan,
Cioffi,	Jones, T. H. W.,	Needham,	Verona,
Clapper,	Jump,	Ogilvie,	Wall,
Cochran,	Kamyk,	Olsen,	Wallace,
Comer,	Keller,	Parlante,	Walsh,
Connelly,	Kent,	Peifly,	Wargo,
Conner,	Kerlin,	Peta,	Waterhouse,
Cooper,	Kline,	Petrosky,	Watkins,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker
Gibson,	Markley,	Schuster,	

NAYS—1

DuBois,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 550, as follows:

An Act to further amend Section 1 of the act approved the eleventh day of May one thousand eight hundred seventy-four (P. L. 132) entitled "An act relating to payment of costs in cases of felony" by fixing time for payment of costs of aldermen and justices of the peace payable by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eleventh day of May one thousand eight hundred seventy-four (P. L. 132) entitled "An act relating to payment of costs in cases of felony" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (P. L. 1054) is hereby further amended to read as follows

Section 1 Be it enacted &c That the costs of prosecution accruing on all bills of indictments charging a party with felony ignored by the grand jury shall be paid by the county and in all cases of conviction of any felony all costs shall be paid forthwith by the county unless the party convicted shall pay the same and in all cases in which the county pays the costs it shall have power to levy and collect the same from the party convicted as costs in similar cases are now collectible Provided That all such costs payable by the county to any alderman or justice of

the peace inclusive of any costs charged against a county and not against a prosecutor pursuant to the act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (P. L. 89) entitled "An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny where the value of the goods alleged to be stolen is less than ten dollars and in the prosecutions for assault or assault and battery where felony is charged and in which the prosecutor had no reasonable ground for making the charge of felony" and its amendments shall be due and payable to the alderman or justice of the peace within thirty days of the end of the calendar month in which transcripts were filed [or in which the county's liability was determined]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Bomberger,	Hersch,	Mills,	Strausser,
Boory,	Hewitt,	Monroe,	Sucher,
Bower,	Hocker,	Moody,	Taylor,
Breisch,	Hoggard,	Moore,	Thomas,
Breth,	Ide,	Moran,	Thompson,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Paul F.,	Musto,	Varner,
Cioffi,	Jones, T. H. W.,	Naugle,	Vaughan,
Clapper,	Jump,	Needham,	Verona,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peifly,	Wargo,
Cooper,	Kline,	Peta,	Waterhouse,
Coyle,	Kohl,	Petrosky,	Watkins,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,		Schmidt,	Speaker

NAYS—1

DuBois,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, as follows:

A Joint Resolution proposing an amendment to article five section thirteen of the Constitution of the Commonwealth of Pennsylvania by further providing for the disposition of fees fines and penalties in magistrates courts in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article five section thirteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 13 All fees fines and penalties is said courts excepting those which by law are made payable elsewhere shall be paid into the city treasury

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WHITE. Mr. Speaker, I rise in opposition to this bill, and I ask the support of the Members of the House in voting it down. House Bill 608 is an amendment to the Constitution which will cost Philadelphia some money. Philadelphia is different from the other counties in that we have elected magistrates. Those magistrates are on salaries which are fixed. They are not allowed to engage in any other occupation or business.

Article 5, Section 12 of the Constitution, from which I quote states

> They shall be compensated wholly by fixed salaries to be paid by said county and shall exercise such jurisdiction, civil and criminal, except as herein provided as is now exercised by the Aldermen.

In Philadelphia the office of alderman is abolished. This section immediately precedes Section 13, which provides that all funds collected by the magistrates shall be turned over to the City, because the law provides that the City must pay these magistrates a fixed salary. The Constitution of 1874 provides that the money collected by these magistrates shall be turned over to the City. The magistrates' budgets for 1953 totals $785,000. This includes personnel, rents, and miscellaneous money for records and forms.

Besides this money which is spent, there is also in the Police Department, $407,000 more, which is necessary to keep these magistrates' courts in operation. They handle the traffic violations. Now we do not in Philadelphia get enough money from these magistrates' courts, which would otherwise be carried over to the state to provide for these magistrates. So, in all fairness, if we are going to eliminate Philadelphia from collecting this money, we should also eliminate the necessity of paying fixed salaries to magistrates, and put them on a fee basis, the same as all the other aldermen throughout the state.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. White.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WHITE. I shall, Mr. Speaker.

Mr. TOMPKINS. The gentleman from Philadelphia states that the budget for the Magistrates courts are for seven hundred and some odd thousand dollars?

Mr. WHITE. That is correct, $785,000.

Mr. TOMPKINS. Does the gentleman have any information on the amount of fines which are collected through their offices and turned over to the county?

Mr. WHITE. Yes, I have. It is approximately $2 million.

Mr. TOMPKINS. In the neighborhood of $2 million. I thank the gentleman.

Mr. Speaker, the question may arise as to why I, as a representative of a small rural county should have introduced such a bill as this. I think it will become apparent in the course of my discussion why this was done.

You have just heard the gentleman from Philadelphia state that fines collected in Philadelphia amount to $2 million. I do not know how many of those fines apply to fines under city ordiances, and how many apply to fines under state laws, but the other sixty-six counties of the state, the other four-fifths of the population of the State, turn in their pure food fines, their agricultural fines, motor vehicle fines, fish and game fines, and so forth. According to the official budget figures for the biennium of 1947 to 1949, the fines amounted to $1,755,791.76. For the biennium of 1949 to 1951 they amounted to $1,990,571.26. For the biennium of 1951 to 1953, the estimated amount is given at $1,759,875. The fines from the other four-fifths of the state apparently do not equal the fines which are collected in the City of Philadelphia alone. The budget for the magistrates courts in Philadelphia is a little over $700,000. This provision was not in any previous Constitution which we had in the state of Pennsylvania. Why it was put in this one, I do not know. I have not been able to find the reason for that.

However, you might be interested to know what brought this about. As you travel throughout the rest of the state where merchants in business in other parts of the state have been violating the Pure Food Laws, of course, they are brought before a justice of the peace or an alderman, and they are fined, and the fines are remitted to the state. The same thing in a great number of motor vehicle violations. Why the City of Philadelphia should be exempt from paying their share to the state, I do not know. Nevertheless, that is how the Constitution reads, and therefore as long as that provision is in the Constitution, we will have to abide by it.

On January 30, 1950, I wrote to Honorable Charles R. Barber, State Treasurer,

> I would appreciate it very much if you could furnish me with information as to the fines turned into the treasury for fish violations which occurred and were prosecuted in the County of Philadelphia, for the year of 1948-1949.

You may wonder why I inquired about fish fines. Well, there are plenty of fish stocked in the County of Philadelphia by the Pennsylvania Fish Commission, and there is plenty of fishing done down in that county. There are fish violations which occur, which, when they do occur, are paid into the County of Philadelphia, and which in the other 66 counties are paid into the Fish Fund of the State.

Under date of February 3, 1950, Mr. Barber replied:

> "I asked Mr. Arthur K. Fickling, Director of our Bureau of Securities, Receipts and Deposits, to get you the information you requested, and I am enclosing a copy of his memorandum, which appears to be self-explanatory."

The note of Mr. Fickling states:

> This office has been advised by George A. Nally, Comptroller of the State Department of Revenue, that the Commonwealth did not receive any fish fines originating in the City or County of Philadelphia during the fiscal years ended May 31, 1948, and May 31, 1949. Sections 12 and 13 of Article 5 of the Constitution of Pennsylvania with respect to Magistrates' Courts, provides, that all * * * fines and penalties * * * shall be paid into the County Treasury. For this reason such fines do not come into the State Treasury.

The Supreme Court in Commonwealth v. McGuirk, 78 Pa. 298, held that this provision did not apply to Courts of Record, but only to the Courts of Police and Civil Causes" to be established under section 12 of this article.

The case of Commonwealth v. Randall, 10 Phila. 451; 2 W.N.C. 210, apparently the only case reviewing this provision of the Constitution, where the Society for the Prevention of Cruelty to Animals sought to have a fine turned over to it, under an act of 1871, instead of into the Treasury of Philadelphia County, held in directing the fine to be paid into the County Treasury:

> The language of the Constitution is so express, comprehensive and unqualified that no room seems to be left for interpretation. When the Constitution says "all fines and penalties" collected in these courts shall be paid into the County Treasury, we cannot interpolate any exception which is not found in the instrument itself.

Under date of February 6, 1950, I wrote to Honorable C. A. French, Fish Commissioner:

> I have just learned that all fines and penalties imposed in Magistrate's Courts in the City and County of Philadelphia are payable to the Philadelphia County Treasurer, including fish fines.
>
> From your prosecution reports from the City and County of Philadelphia could you inform me the number of prosecutions entered and the total fines imposed in the City and County of Philadelphia for the fiscal years ended May 31, 1948 and May 31, 1949.

Under date of February 9, 1950, Mr. French replied and this is important:

> During 1949 we received the first fine in our history from an arrest made in Philadelphia County, and this was the only prosecution made there during 1949. The magistrate who "broke the ice" in allowing us this fine told our officer that, if the magistrate group in Philadelphia would agree to send all fish fines to the Fish Commission, that it would be legal to do so. Our officer has been there a number of times, and we are trying to work out such an agreement, and if successful all future fines for fish violations in Philadelphia County will be sent to the Fish Commission.

Apparently such an arrangement was worked out, as I find the following information in the Auditor General's office for fish fines received from magistrates in Philadelphia:

July 9, 1951 ..... $25.00
October 20, 1951 ..... $25.00

I should like to make the following inquiries:

1. In the face of this Constitutional provision, by what

authority did the magistrates of Philadelphia agree to turn over the fish fines to the Fish Commission?

2. Why did it take the magistrates all these years to find out that such an arrangement could be made?

3. If it can be done in the case of fish fines, why cannot it be done in all other cases where it is provided by law that fines be paid into the state?

4. In the face of this Constitutional provision, by what authority did the Fish Commission, which is supposed to be a branch of the Executive Department of our Government, have, to enter into any such arrangement for the receipt of fish fines?

5. Why did the Fish Commission sleep on its rights all these years, if such an arrangement could be made?

6. If it can be done in the case of fish fines, then why did the Fish Commission not pass this good information along to the other Executive Branches of the Government?

If it can be done in that case, I am trying to make it legal so it can be done in all cases, including this case, which seems to be on an unconstitutional ground.

For that reason I ask that in response to the invitation which I have heard from various members of Philadelphia County in the last several weeks on the floor of this House, that they be invited in as a part of the Commonwealth of Pennsylvania in this respect.

Mr. SCHWARTZ. Mr. Speaker, I would like to ask permission to interrogate the previous speaker.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. SCHWARTZ. Mr. Speaker, for the edification of this House, can the gentleman tell us how justices of the peace are paid?

Mr. TOMPKINS. On a fee basis.

Mr. SCHWARTZ. Could the gentleman tell us how the magistrates in the City of Philadelphia are paid?

Mr. TOMPKINS. I understand on a salary basis.

Mr. SCHWARTZ. Does the gentleman know who pays the salary?

Mr. TOMPKINS. I understand the County of Philadelphia.

Mr. SCHWARTZ. That is correct, sir. Thank you.

Mr. Speaker, in Philadelphia the magistrates receive no fees as they do in other counties. They receive a salary which is paid by the County of Philadelphia. The salary and all other expenses, as you have heard from Mr. White a few minutes ago, come out of these fees which go into the City Treasury.

The amendment to the Constitution as proposed might be justified on the basis that the other 66 counties operate in a certain way, but certainly is not justified if there is not some provision put in the amendment which will provide for the payment of magistrates of the County of Philadelphia after these fines are taken away from the county.

Unfortunately the amendment does not do anything like that. What the amendment would do would be to take all the money away and leave the City of Philadelphia in a position where they would have to find the sum of $1 million to pay the magistrates of the city.

Mr. Tompkins' discussion about fish made this sound like a fish bill. If he would concentrate and think for a moment about all the corporate taxes that are paid by the City of Philadelphia, he would realize that Philadelphia is a little different than the other counties in this state. We say that it is manifestly unfair to take away this revenue from the City of Philadelphia without putting some provision in this amendment to pay all the expenses of the magisterial system in the city.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Wilt.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WILT. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, the magistrates from the City of Pittsburgh, how do they receive their remuneration?

Mr. WILT. Mr. Speaker, they are paid by the City of Pittsburgh. The magistrates of the City of Pittsburgh are paid by the City of Pittsburgh.

Mr. TOMPKINS. Mr. Speaker, in the case where they collect fines which are payable to the state, where do they pay the fines?

Mr. WILT. Mr. Speaker, if it is set up in the state code that that particular fine should go to the state, it goes to the state Department of Revenue. These fines must be returned by the 10th of every month.

Mr. TOMPKINS. Mr. Speaker, I thank the gentleman from Allegheny.

Mr. Speaker, the previous speaker made some mention of the revenues which Philadelphia turns into the State Treasury. Of course, all the rest of the 66 counties likewise turn revenues into the State Treasury. What we are trying to do is to make uniform the practice in that respect.

Mr. TOLL. Mr. Speaker, I merely want to clarify one point in connection with the presentation of the argument made by my highly esteemed colleague, Mr. White of Philadelphia. I want to point out that where he said the income to the city from fines is $2 million and the expenses for the magistrates system is about three quarters of a million—that does not mean that we make a million and a quarter profit which is not paid by the other areas of Pennsylvania, because the fines which we collect include traffic fines, and certain traffic fines are kept by Philadelphia and kept by the political subdivisions of every county in Pennsylvania as is provided in the Vehicle Code. The Vehicle Code says that "all fines and penalties collected under the provisions of this act for the violation of the same shall be paid to the Department and transferred to the state treasury and credited to the General Fund, except those collcted for violations of provisions of the following sections."

Now in Philadelphia with two million people, just imagine how many fines we collect under section 903, weight of vehicles and loads; 905, permits for excessive size and weight; 1002, restrictions as to speed; 1011, turning at intersections; 1016, stop intersections; 1018, driving through safety zones; 1020, prohibitive parking; 1026, traffic signal interpretation.

I call your attention to the fact that under these sections the other municipal divisions and the boroughs and the townships collect their own fines. So, under the circumstances, I would say that we spend as much money as we take in from the other types of violations and I feel that as long as it has been in the Constitution since 1874 you ought to let it alone.

Mr. TOMPKINS. Mr. Speaker, I would just like to call to the attention of the gentleman from Philadelphia that

even though this has been in the Constitution since 1874, it was first the magistrates in Philadelphia themselves who began to tinker with it. That is how we first found out about it. Now we are trying to make it legal, if at all possible.

Mr. ANDREWS. Mr. Speaker, I suggest that we now go to a vote and that we all vote "no."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. TOLL, HERSCH and WHITE.

The roll was verified and was as follows:

YEAS—105

Ashton,	Geer,	Leisey,	Spencer,
Auker,	Gibson,	Light,	Stevenson,
Banker,	Gleason,	Lippincott,	Stimmel,
Barkdoll,	Goodling,	Mahan,	Stoner,
Baumunk,	Gramlich,	Markley,	Strausser,
Bear,	Greenwood,	Mathews,	Sucher,
Blair,	Gutendorf,	McCullough,	Thompson,
Bolton,	Guthrie,	McInroy,	Tompkins,
Bomberger,	Hall,	Metz,	Toomey,
Bower,	Hamilton, W. H.,	Mikula,	VanSant,
Breisch,	Haudenshield,	Miller,	Varner,
Brown,	Helm,	Moody,	Vaughan,
Buchanan,	Hewitt,	Moscrip,	Wall,
Bullen,	Hocker,	Murray, P. G.,	Waterhouse,
Clapper,	Ide,	Naugle,	Watkins,
Connelly,	Johnson,	Ogilvie,	Weidner,
Cooper,	Jones, Geo. E.,	Peifly,	Wescott,
Davis,	Jones, T. H. W.,	Phillips,	Whalley,
Down,	Jump,	Price,	Willaredt,
DuBois,	Keller,	Quisenberry,	Wilt,
Dunn,	Kent,	Ragot,	Wood,
Erb,	Kerlin,	Reagan,	Worley,
Ewing,	Kohl,	Royer,	Yeakel,
Ferster,	Kratz,	Rubin,	Young,
Flack,	Kromer,	Scott,	Ziegler,
Fleischman,	Lafore,	Shotwell,	Smith, C. C., Speaker
Frost,			

NAYS—86

Adam,	Hamilton, R. K.,	McGee,	Schuster,
Alexander,	Harris,	McWherter,	Schwartz,
Amarando,	Hersch,	Monroe,	Seyler,
Andrews,	Hoggard,	Moran,	Smith, W. B.,
Bazin,	Jenkins,	Muldowney,	Snider,
Boory,	Jim,	Munley,	Stank,
Breth,	Jones, Gran'le E.	Murray, J. J.,	Stone,
Bucchin,	Jones, Paul F.,	Musto,	Taylor,
Capano,	Kamyk,	Needham,	Thomas,
Cianfrani,	Kolankiewicz,	Olsen,	Toll,
Cioffi,	Kubacki,	Parlante,	Varallo,
Comer,	Lederer,	Petrosky,	Verona,
Conner,	Leonard,	Pettigrew,	Wallace,
Coyle,	Leven,	Pfaff,	Walsh,
Curwood,	Limper,	Polaski,	Wargo,
Downey,	Lopresti,	Polen,	Welsh,
Farabaugh,	Lovett,	Poltenstein,	White,
Fenrich,	Lutty,	Reidenbach,	Whitenight,
Floyd,	Maguire,	Rosen,	Williams,
Flynn,	McCann,	Rovansek,	Yetzer,
Glick,	McCormack,	Sarraf,	Zeitz,
Guss,	McDermit,		

NOT VOTING—16

Boles,	Kline,	Mills,	Richter,
Cochran,	Kornick,	Moore,	Schmidt,
Dougherty,	Maxwell,	Peta,	Shoemaker,
Filo,	Mihm,	Readinger,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. SCHWARTZ. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHWARTZ. Mr. Speaker, when a request is made for a verification of the roll are not the doors of the House automatically closed?

The SPEAKER. No. The Constitution requires that the sessions of the House be kept open.

Mr. SCHWARTZ. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. PETROSKY. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PETROSKY. Mr. Speaker, what is now before the House for its consideration?

The SPEAKER. The next bill on the calendar, House Bill No. 612, Printer's No. 114.

Mr. PETROSKY. I thank the Speaker for the fast action and I will not make the move that I intended to make originally.

However, a further point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. PETROSKY. Mr. Speaker, to prevent future recurrences of, shall we say, delay in the procedure of the House, and for the proper expediting of business before the House, are we to take verification of absentee Members in the same order as we have today? Will that be a standing practice?

The SPEAKER. The Chair does not quite understand what the gentleman means.

Mr. PETROSKY. Mr. Speaker, in questioning the vote of a Member on the floor, there are various parliamentary procedures which we can go through which will, of course, necessitate lengthening the sessions of the days to come. Now in questioning the presence or absence of Members on the floor, are we to accept as procedure the practice we have instituted today?

The SPEAKER. The Chair will read part of Rule 80 of the House, for the information of the Members.

> . . . Any Member may challenge in writing the vote or votes of Members who are recorded as voting. If the vote so challenged would change the result the announcement of the vote shall be postponed by the Speaker until the allegations made shall have been investigated when, if necessary, the roll shall be corrected and the true result announced by the Speaker.

Mr. PETROSKY. Mr. Speaker, am I to understand that this challenge in writing is to be made before the vote is announced?

The SPEAKER. The challenge should be submitted to the Chair under Rule 80, before the result of the vote is announced.

Mr. PETROSKY. That is what I meant, Mr. Speaker, originally when I said that fast action prevented me from making such a move. I thank you.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, when two reputable

Members of the House say that a Member was in his seat and voting, and two equally reputable Members of the House say they were observing that particular situation and that he was not in his seat and not in the Hall of the House, what is the procedure, if in the future, such a situation should develop?

The SPEAKER. In answer to the gentleman, the Chair would state that a Member does have the right before the result is announced to challenge a vote in writing. He has the right to challenge the vote and an investigation will be made and a report made to the House.

Mr. ANDREWS. Mr. Speaker, how would that determine the pending issue? Would the investigation made by the Speaker be prior to announcing the decision, or would it be a subsequent action in which witnesses would be summoned and an investigation made?

The SPEAKER. The Chair wishes to inform the gentleman that it would be a subsequent action and if the result was different the true result would be announced by the Chair at a future date.

Mr. ANDREWS. Mr. Speaker, do I understand the Chair to say that the Chair would investigate and take testimony?

The SPEAKER. The Chair would endeaver to get all the facts and submit them to the House.

Mr. ANDREWS. I thank the Chair for the clarification of the procedure in such an instance.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 612, as follows:

An Act to further amend the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of second class B cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" as amended by the act approved the ninth day of March one thousand nine hundred twenty-seven (P. L. 18) is hereby further amended to read as follows

Section 1 Be it enacted &c That for the purpose of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into [four] five classes

Those containing a population of one million or over shall constitute the first class

Those containing a population of five hundred thousand and under one million shall constitute the second class

Those containing a population of one hundred and thirty-five thousand and under five hundred thousand shall constitute the second class A

Those containing a population of one hundred and twenty thousand and under one hundred and thirty-five thousand shall constitute the second class B

Those containing a population under one hundred and [thirty-five] twenty thousand shall constitute the third class

Section 2 Section 2 of said act as last amended by the act approved the sixteenth day of August one thousand nine hundred fifty-one (P. L. 1239) is hereby further amended to read as follows

Section 2 The classification of said cities respectively to determine whether they shall advance in classification shall be ascertained and fixed by reference to their population according to the last preceding United States census and whereever it shall appear by any such census that any city of the second second A second B or third class has attained a population entitling it to an advance in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify the fact accordingly which certificate shall be entered at large upon the minutes of the councils of such city and recorded in the office for recording the deeds of the proper county

The classification of said cities respectively to determine whether they shall regress in classification shall be ascertained and fixed by reference to the last two preceding United States decennial censuses and whenever it shall appear by both of such censuses that any city of the first second [or] second A or second B class has decreased in population below the minimum population figures prescribed for its current classification it shall be the duty of the Governor under the great seal of the Commonwealth to certify the fact accordingly which certificate shall be entered at large upon the minutes of the councils of such city and recorded in the office for recording the deeds of the proper county

It is the intent of the preceding paragraph that the classification of any city of the first second [and] second class A and second class B shall not be changed because its population was below the minimum figure for its class at the time of one United States decennial census because it is recognized that a change in the form of a municipal government is attended by certain expense and hardship and such change should not be occasioned by a temporary fluctuation in population but rather only after it is demonstrated by two censuses that the population of a city has remained below the minimum figure of its class for at least a decade

At the municipal election occurring not less than one month after the date of such certificate the proper officers shall be elected to which the said city will become entitled under the change in classification and upon the first Monday of April next ensuing the terms of all officers of said city then in office whose offices are superseded by reason thereof shall cease and determine and the city government shall be duly organized and shall thereafter be controlled and regulated by the laws of this Commonwealth applicable to the same under the classification hereby fixed and appointed

Until otherwise provided by law cities of the second class A shall continue to be governed and shall have all the powers privileges and prerogatives now provided by the laws of the Commonwealth relating to cities of the second class

Until otherwise provided by law cities of the second class B shall continue to be governed and shall have all the powers privileges and prerogatives now provided by the laws of the Commonwealth relating to cities of the third class

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,

Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 613, as follows:

An Act authorizing cities of the second class B to adopt the city manager plan of government providing for referendums providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials and courts of common pleas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Second Class B City Administration Selection Act of 1953"

Section 2 Authority to Adopt City Manager Plan Every city of the second class B may in accordance with the provisions of this act adopt or discontinue a plan of local government under which the administrative functions of the city are administrd by a city manager

Section 3 Referendum Upon Receipt of a certified copy of a resolution of ouncil or a petition signed by registered electors of the city equal in number to at least five per centum (5%) of the total number of voters voting at the last preceding municipal election requesting an expression of the will of the electorate therefor the county board of elections of the county in which such city is located shall submit to the electorate of the city in the manner provided by the election laws of the Commonwealth at the next general or municipal election occurring at least sixty (60) days after receipt of the request the following question

Do you favor adoption of a city manager plan of government by the city of ——————————?	Yes	
	No	

The question shall be printed on separate official ballots in bound form and a sufficient number of ballots shall be furnished to the election officers in each election district of the city so that one ballot may be supplied to each voter at such election In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purpose

Such question shall not be submitted to the electorate more often than once in four (4) years

Section 4 Discontinuance If the city manager plan is adopted at such election a question to determine the will of the electorate as to the continuance of such plan may be submitted on petition of electors in the same manner provided for submission of the question for adoption at any general or municipal election occurring at least eight (8) years after adoption of the plan but not more often than once in four (4) years

Section 5 Regulations Concerning Petitions for Submission Petitions for submission of a question to the electorate shall be signed in ink or indelible pencil Each elector signing shall give his place of residence by street and number and date of signing No signature shall be valid unless affixed thereto within forty-five days before the filing thereof Any number of petitions may be circulated among the electors contemporaneously and all separate original petitions when filed shall be treated together as one original petition Each separate petition paper shall be verified by the affidavit of the circulator thereof before any officer authorized to administer oaths Such affidavit shall set forth the residence of the circulator by street and number or other description sufficient to identify the place and shall state that each signature on the nomination paper was made in the presence of such circulator on the date indicated and is the genuine signature of the person whose name it purports to be

The county board of elections shall compare the petitions with the general register in order to verify that each signer is a registered elector of the city any signatures of persons who are not registered electors of the city shall be stricken from the petitions

Section 6 Notice of Election Notice by advertisement of the holding of each election for the adoption or discontinuance of the city manager plan shall be given in the manner and under the regulations provided by law for the giving of notice of the holding of elections for the election of public officers and the adoption of constitutional amendments

Section 7 Watchers Electors filing petitions for the adoption or discontinuance of the city manager plan under the provisions of this act may in any such petition designate a political committee of not less than three nor more than twenty-five in number which committee shall have the same rights as political parties to appoint watchers in the manner required by law at any election to be held for the adoption or discontinuance of the city manager plan under the provisions of this act Such a political committee with the same power to appoint watchers may also be designated by petition filed with the county commissioners for that purpose and signed by qualified electors of the city at least equal in number to one-tenth of the number

required for submission of the question of adoption or discontinuance of the city manager plan by petition under the provisions of this act Any such petition shall be signed verified and filed in the manner prescribed for petitions requesting the submission of the said question Watchers appointed under the provisions of this section shall have the same rights as watchers appointed under the general laws regulating general and municipal elections except that they shall serve without compensation and need not be residents of the election districts in which they serve

Section 8 Transition (a) Whenever the electors of a city adopt the city manager plan at any election for that purpose such city shall be governed under the provisions of this act from the first Monday in January next following such adoption

(b) Whenever the electors of a city vote to discontinue the city manager plan at any election for that purpose the city shall cease to be governed by the provisions of this act on the first Monday of January following the next succeeding municipal election Until otherwise provided by law the transition shall be in accordance with section two hundred nine of the Third Class City Code

Section 9 Interim Appointments Whenever the city manager plan is adopted the court of common pleas of the county in which the city is situate shall appoint one additional councilman and the city council in office shall appoint one to serve from the first Monday in January next following to the first Monday in January following the next succeeding municipal election Such councilmen shall receive the compensation provided in section twenty-two of this act

Section 10 Mayor and Council in Office at Time of Adoption Candidates The mayor and the members of council in office at the time of the adoption of the city manager plan as well as those members elected at the same election at which the plan was adopted shall continue in office until the expiration of their terms and shall receive the compensation paid to councilmen at that time Any such mayor or councilman may by writing filed with the city treasurer direct that any portion of his compensation be returned to the city treasury Any candidate for mayor or councilman may by writing filed with the city treasurer direct that in the event of adoption of the city manager plan a stated portion of his compensation be returned to the city treasury and such act shall not be construed to be a violation of any law of this Commonwealth

Section 11 Election of Council (a) The council in cities which adopt the city manager plan shall be composed of seven members whose terms shall be four years beginning on the first Monday of January next succeeding their election

(b) At the municipal election next succeeding the adoption of the city manager plan four councilmen shall be elected for regular terms If the regular term of the mayor is to expire on the first Monday of January next ensuing then five councilmen shall be elected at such election

(c) In the event that more than four councilmen are elected to regular terms under subsection (b) the four candidates receiving the highest number of votes shall serve for terms of four years and the candidate receiving the next highest number of votes shall serve for a term of two years Thereafter all councilmen shall be elected for terms of four years

(d) If any vacancies in council or the office of mayor occurring by reason of resignation death or removal shall exist ninety days or more before such election they shall be filled for the remainder of the term of the person originally elected to that office

(e) Vacancies in the office of councilman shall be filled in the manner provided by the Third Class City Code until otherwise provided by law

Section 12 City Council The council of cities governed under the provisions of this act shall be the legislative body of such city and shall continue to exercise the powers and duties now vested by law in the councils of cities of the third class except those powers and duties by this act vested in the city manager

Qualifications of members of council shall be those specified by the Third Class City Code until otherwise provided by law

Section 13 Mayor On the first Monday of January following each municipal election a mayor shall be chosen by the council from its own number by majority vote of all its members His terms of office shall be for two years but he shall be eligible for reelection The mayor shall be the titular head of the city for all ceremonial purposes He shall neither have administrative duties nor make appointments in the administrative service but shall retain and exercise any judicial powers vested by law in mayors of third class cities He shall be president of the council and shall have a voice and vote in its proceedings The council shall also elect an assistant mayor from its own number who shall act as mayor during the absence or disability of the mayor

If an elected mayor is in office at the time the first council organizes under the provisions of this act council shall not select a mayor from its number until after the resignation death removal or expiration of the term of the elected mayor

Section 14 City Manager The council of every city in which the city manager plan is in effect under the provisions of this act shall appoint by majority vote of all its members a city manager who shall be the chief executive and administrative officer of the city The manager shall receive such compensation as the council shall determine He shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience in or knowledge of accepted practice in respect to the duties of his office and need not be at the time of his appointment a resident of the city or of the State but shall be a United States citizen He shall not engage in any other business or profession so long as he shall hold the office of city manager No person elected to the council shall be eligible for the office of city manager or acting city manager during the term for which he shall have been elected nor for a period of three years thereafter

The manager shall hold office for an indefinite term but may be removed by a vote of a majority of all members of the council at any time after the reasons for his proposed removal have been placed of record on the minutes of council and a copy thereof has been furnished him and he has received a public hearing thereon before the council if he so requested in writing within ten days after receiving the copy of such minutes Pending and during such a hearing the council may suspend the manager from office for a period not exceeding thirty days

Section 15 Powers and Duties of Manager (a) The manager shall be the chief executive officer of the city government except as herein otherwise provided He shall have power to supervise direct and control the operation of all departments and agencies under his jurisdiction

(b) It shall be the duty of the city manager to

(1) Prepare and recommend to council an annual budget and be responsible for its administration after adoption

(2) Execute and enforce all laws ordinances and contracts of the city

(3) Appoint the heads of all departments boards and bureaus and all other officers and employes of the city except those elected by the people members of the city civil service boards now provided for by the Third Class City Code and members of the officers and employes retirement board and the pension board Members of all civil service boards shall continue to be appointed by the city council and shall have the powers and duties prescribed by law The members of the officers and employes retirement board and the pension board shall each consist of the mayor city manager two representatives of employes and one administrative officer to be named by the city manager

All officers and employes appointed by the manager may be removed for cause by the manager after written notice to the person concerned and such action shall be final unless reversed by council within thirty days or at the next following meeting of council if such meeting

occurs more than thirty days after the date of removal

Appointments to and removals from positions covered by civil service provisions shall be made by the manager but otherwise shall be in accordance with pertinent laws in effect for cities of the second class B

(4) Keep the council advised of the financial condition and future needs of the city make such reports and recommendations to council as he may deem expedient or necessary or as council may request and at the end of the fiscal year prepare and submit to council a complete report on the finances and administrative activities of the city for the preceding year and

(5) Perform such other duties as may be required by ordinance or resolution of the council

Section 16 Attendance of Officials at Council Meetings The manager and city solicitor shall attend all meetings of the council and have full privilege of discussion but shall not be permitted to vote

Section 17 Temporary Appointments In case of temporary absence or disability of the maneger the council may appoint a qualified administrative officer of the city to perform the duties of manager temporarily If the office of manager becomes vacant the council shall appoint without delay either a new manager or an acting manager to fill the office until a new manager is chosen

Section 18 City Clerk The council of every city in which the city manager plan is in effect shall elect a city clerk and fix his compensation by ordinance He shall serve for a term of four years and until his successor is duly elected and qualified but shall be removable at any time by city council

The city clerk shall have the power of a notary public to administer oaths in any matter pertaining to the business of said city or in any legal proceeding in which it is interested He shall also perform such other duties as shall be prescribed by ordinance or resolution of council

Section 19 Transfer of Administrative Functions No member of the council shall have any administrative powers or duties Any such powers or duties vested in members of the council before the adoption of the city manager plan of government shall be transferred to the city manager or his subordinates except that the council may continue to act as the board of revision of taxes and appeals

Section 20 Combination of Offices The council may authorize the manager to act himself in the capacity of any appointive officer or officers of the city or to combine the functions of any two or more such officers in any one of his appointees

Section 21 Reorganization of City Government The council may by ordinance upon recommendations submitted by the city manager create new departments bureaus and offices under the manager fix the powers duties number of employes and compensation therefor abolish any existing departments bureaus or appointive offices not specifically provided for in this act or redistribute the powers and duties of existing departments bureaus and appointive offices When any department bureau or office is thus abolished any duties performed thereby which are required of the city by law shall be allotted by ordinance to some other department bureau or office under the manager or to the manager himself

Section 22 Salaries (a) The compensation of all elected officers and the city manager of the city shall be fixed by council The salary of the city manager shall be at least seventy-five hundred dollars ($7500) per year During the terms of the first councilmen elected under the provisions of this act and thereafter until changed by ordinance councilmen shall receive an annual salary of two thousand dollars ($2000) and the mayor twenty-five hundred dollars ($2500)

The compensation to be received by councilmen shall not be increased or diminished after their election but succeeding councils may change all compensation said change to take effect as to councilmen taking office at least six months after passage of the ordinance providing for such change

(b) The compensation of all other officers and employes of the city shall be fixed by the city manager subject to approval by council

Section 23 Ordinances to Remain in Effect All ordinances previously enacted by council shall remain in effect until amended or repealed except in so far as they are inconsistent with the provisions of this act

Section 24 Application of Other Laws Until otherwise provided by law the provisions of all laws relating to cities of the third class and in particular the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as re-enacted revised and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) shall apply to cities adopting the city manager plan under this act except in so far as they are inconsistent with the provisions of this act

Section 25 Repealer All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 26 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Petity,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the ffirmation, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 747, Printer's No. 91,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 817, Printer's No. 100,
House Bill No. 818, Printer's No. 101 and
House Bill No. 819, Printer's No. 102,

were passed over at the request of the SPEAKER.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

I desire to make a brief statement with reference to the passing of the revenue bills.

Mr. Speaker, we of course interpose no objection to House Bill No. 908 and the other revenue bills being passed over. But we would counsel a hesitant majority to take counsel of its fears, screw its courage to the sticking point, make the ultimate bitter choice, and either proceed to hang itself or to hang the bill.

PERMISSION TO ADDRESS HOUSE

Mr. OHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I might say by way of explanation we have a tax program on the calendar which we of the leadership feel will adequately arrange the financial affairs of this Commonwealth for many years to come if it is enacted into law.

We are passing over the bills this week to give some of the members of our caucus additional opportunity to go over the bills as amended, talk to their people back home, give the people of Pennsylvania a chance to think more about what we are trying to do in bringin about a balanced financial structure for this great state. Putting the bills over will give us more time to study the budget, to study any further cuts that we think we might be able to make in the budget. We have already announced some budget cuts.

We on the majority side are acting in the greatest amount of good faith in trying to do the job that the people of Pennsylvania expect us to do. Therefore we are passing over our tax program. If the sales tax program should pass, there are certain bills on the calendar which of course should not be passed, which will be dropped by the wayside.

Therefore until we have the entire picture settled, until the people have had a chance to hear about this program, we are passing over the program this week.

Mr. ANDREWS. May I have the privilege of interrogating the Majority Leader.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Is the Majority Leader prepared to submit for the consideration of the public, and the consideration of the House as a whole, a schedule of the bills he intends not to call in the event the sales tax bill passes?

Mr. JOHNSON. Mr. Speaker, I am really not prepared to state at this time, by reason of the fact that there are some who might favor a two percent sales tax bill and get rid of all the so-called nuisance taxes, the so-called hodgepodge tax program that we put on last session. There are some thinking about a one percent sales tax and keeping those nuisance taxes.

I am not prepared until the thinking is crystallized to say just which of the bills will be dropped. The Minority Leader and the people of Pennsylvania know what taxes we put on last session. Until the thinking has been crystallized we are not prepared to state with particularity just what bills will be dropped.

Mr. ANDREWS. Mr. Speaker, I thank the Majority Leader, and I would conclude by suggesting the inexpediency of passing tax legislation with 102 Members of the majority actually present and voting.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is very happy to present to the House a former Member of the House who is now a Judge in the Municipal Court of Philadelphia, Honorable Michael J. O'Donnell.

MEMBERS OF THE PENNSYLVANIA LEGISLATIVE CONFERENCE OF JUNIOR LEAGUES WELCOMED

The SPEAKER. The Chair is happy to welcome today as guests of the House members of the Pennsylvania Legislative Conference of Junior Leagues. They are the guests of the gentlemen from Dauphin, Messrs. Ziegler and Ogilvie.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WEIDNER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. McCULLOUGH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. ROBERT K. HAMILTON asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. LEDERER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. ZIEGLER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORT FROM COMMITTEE

Mr. HEWITT from the Committee on Motor Vehicles, reported as committed, House Bill No. 663, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by abolishing requirements for testing and approval of certain hitches and coupling devices, abolishing certain fees.

RESOLUTION

Mr. BOLTON offered a resolution which was filed with the Clerk.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 7.

An Act to further amend section two of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, by striking out on lines 2 and 3, the following: "(thirty-five hundred dollars) seventy-five hundred dollars ($3,500) $7,500" and inserting in lieu thereof the following: "(thirty-five hundred dollars ($3500) fifty-five hundred dollars ($5500)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Frost,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which House Bill 608, Printer's No. 83, entitled:

A Joint Resolution proposing an amendment to article five section thirteen of the Constitution of the Commonwealth of Pennsylvania by further providing for the disposition of fees fines and penalties in magistrates courts in Philadelphia

passed finally on April 14, 1953, be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cameron, Mr. Tompkins vote on the final passage of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question.

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 29.

An Act to further amend section 717.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for inspection certificates.

HOUSE BILL No. 105.

An Act to amend Section 1222 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing secretary's fee for supplying certain information.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is happy to welcome to the House a former Member, now a Congressman, Honorable Harry P. O'Neill. The Chair would inform the Members that the gentleman was for many years senior Member of the Democratic side of the House.

The Chair also welcomes to the House another former Member, now a Congressman, Honorable Earl Chudoff of Philadelphia.

The Chair is also pleased to welcome another former Member of the House from Philadelphia, Honorable George A. Penglase.

We also have with us and welcome him to the House another former Member from Philadelphia, Honorable Edward T. Gallagher.

The Chair also welcomes another former Member of the House from Philadelphia, Honorable James A. Byrne.

ADJOURNMENT

Mr. IDE. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 15, 1953 at 11:00 a. m.

The motion was agreed to, and (at 5:08 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

WEDNESDAY, April 15, 1953.

The Senate met at 12:00 o'clock m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. PAUL S. MONTGOMERY, Pastor of the First Presbyterian Church, Aspinwall, offered the following prayer:

O Thou, God of the Nations, we pray Thy blessing upon our land, and our Commonwealth and upon all of those in office of authority.

We especially entreat Thee now on behalf of these public servants in this Senate, who face this, another day of responsible decisions. Inspire them with wisdom, that Thou mayest rule through them and that they may be faithful stewards of their public trust. Keep them from being slothful in business, and may they be diligent in their purpose to fulfill the functions of their high office with true distinction, for the best interests of their fellow men in this fine Commonwealth and to the glory of God, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. MAHANY asked and obtained leave of absence for Mr. SNOWDEN, due to illness.

He also asked and obtained leave of absence for Mr. KEPHART, due to illness.

He also asked and obtained leave of absence for Mr. CROWE, due to illness.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 333, entitled:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement

Which was committed to the Committee on Local Government.

House Bill No. 334, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

Which was committed to the Committee on Local Government.

House Bill No. 335, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing for and regulating withdrawal of payments from the police pension funds in cities of the first class

Which was committed to the Committee on Local Government.

House Bill No. 549, entitled:

An Act to amend Section 3 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by fixing the time for payment of costs of aldermen and justices of the peace by counties

Which was committed to the Committee on Judiciary General.

House Bill No. 550, entitled:

An Act to further amend Section 1 of the act approved the eleventh day of May one thousand eight hundred seventy-four (P. L. 132) entitled "An act relating to payment of costs of aldermen and justices of the peace payable by counties

Which was committed to the Committee on Judiciary General.

House Bill No. 612, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled "An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" by classifying cities into five classes and providing for the government of second class B cities

Which was committed to the Committee on Local Government.

House Bill No. 613, entitled:

An Act authorizing cities of the second class B to adopt the city manager plan of government providing for referendums providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials and courts of common pleas

Which was committed to the Committee on Local Government.

House Bill No. 885, entitled:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of surveyors not resident in the county to boards of viewers in counties of the eighth class

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 7

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 7, entitled:

An Act, to further amend section two of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1107), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to, and imposing duties upon, the Department of Highways, the Secretary of Highways, the Governor and the Department of Property and Supplies; authorizing rules and regulations; and providing penalties for violations thereof; and making an appropriations," by eliminating the maximum cost of any one roadside rest.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 7, entitled:

An Act, to further amend section two of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1107), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to, and imposing duties upon, the Department of Highways, the Secretary of Highways, the Governor and the Department of Property and Supplies; authorizing rules and regulations; and providing penalties for violations thereof; and making an appropriation," by eliminating the maximum cost of any one roadside rest.

House Bill No. 29, entitled:

An Act to further amend Section 717.1 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the fee for inspection certificates.

House Bill No. 105, entitled:

An Act to amend Section 1222 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing secretary's fee for supplying certain information.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. MAHANY, from the Committee on Rules, reported as committed, Senate Bill No. 419, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Public Works; transferring to it all of the powers and duties of the Department of Highways, and the State Planning Board, all of the powers and duties of the Pennsylvania Aeronautics Commissions, except the inspection, regulation and licensing of airports, those powers and duties of the Department of Property and Supplies relating to the management and control, construction and repair of all buildings owned or leased by the Commonwealth, and those powers and duties of the Department of Internal Affairs relating to municipal and township development; transferring the Board of Commissioners of Public Grounds and Buildings, the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works; providing for a Secretary of Public Works; defining his powers and duties; abolishing the Department of Highways, the State Planning Board and the Pennsylvania Aeronautics Commission; reconstituting the State Planning Board and advisory board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies; and transferring appropriations.

He also, from the Committee on Rules, reported as committed Senate Bill No. 420, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments boards and commissions; and prescribing the manner in which the number and compensation of the deputies and other assistants and employes in certain departments, boards and commissions shall be determined," by establishing within the framework of the executive and administrative branch of the government administrations, designating the heads of administrations and their powers and duties, establishing the office of Executive for Administration and defining his powers and duties.

RECESS

Mr. MAHANY. Mr. President, inasmuch as there are some Members of the Senate who are necessarily detained at a committee hearing at this time, I move that the Senate do now take a recess for thirty minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Henry Houck, Pottsville, Schuylkill County, for reappointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1963.

JOHN S. FINE.

CALENDAR

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 117, entitled:

An Act to amend section 608.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for physical examinations and certificates signifying passage thereof by school bus drivers.

On the question,

Shall the bill pass finally?

RECONSIDERTION OF SENATE BILL No. 117

Mr. MAHANY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 117 passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 608.1), page 4, line 11 and 12, by striking out both of said lines and inserting in lieu thereof the following: "A physical examination to be given [annually at the beginning of every school year] by the physician for the school district by which he is"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 117, on third reading,
go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 337, on final passage, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by limiting the amount of reimbursement by the Commonwealth to school districts and vocational school districts; and requiring the Department of Public Instruction to administer the financial affairs of financially handicapped and distressed school districts in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, on third reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 43, on third reading, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 57, on third reading, entitled:

An Act to amend Section 830 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prescribing the manner in which logs carried on certain vehicles and trailers shall be securely fastened.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 86, entitled:

An Act to further amend Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the purposes and powers of Authorities to include housing projects and authorizing the leasing and fixing of rentals in the operation thereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HARE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1, (Sec. 4), page 4, line 2, by inserting after "use" the following: "[when such motor buses are to be used within any municipality]"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 86, on third reading,

go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 382, on third reading, entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department therof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools

or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by merging the State Employes' Retirement Board and the Public School Employes' Retirement Board and establishing within the Insurance Department a joint board known as the State and Public School Employes' Retirement Board.

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the Motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 383, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by appropriating certain money in the Motor License Fund to the Department of Public Works for highway purposes.

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the Motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 384, on third reading, entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as a departmental advisory board in the Insurance Department the State Investment Council and prescribing its powers duties and personnel.

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the Motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I move that Senate Bill No. 389, on third reading, entitled:

An Act to reenact and further amend portions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the boards of trustees of State institutions in the Department of Welfare creating an advisory board for each such institution defining their powers and duties of the Department of Health and Welfare with respect thereto and renaming the departmental administrative agencies in the Department of Health and Welfare and the State advisory boards and commissions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 390, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties relating to rehabilitation of injured workmen from the Department of Labor and Industry to the Department of Health and Welfare.

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the Motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 407, on third reading, entitled:

An Act authorizing the Department of Public Assistance to reduce to judgment claims for restitution of assistance wrongfully received and providing for the collection of such judgments from wages earnings debts and income from trust or profits due the judgment debtor.

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the Motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 408, on third reading, entitled:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 409, on third reading, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the Department of the Auditor General to make annual audits of the affairs of county boards of assistance

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 410, as follows:

An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" is hereby amended to read as follows

Section 3 Organization of Council

* * * * *

(e) The Council when created shall be a departmental administrative board within the Department of Military Affairs and shall be subject to the provisions of The Administrative Code of 1929 the act of April ninth one thousand nine hundred twenty-nine Pamphlet Laws 177 as amended which apply generally to departmental administrative boards and commissions except as in this act otherwise provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 411, as follows:

An Act to repeal the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to and providing for

the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Toole,
Berger,	Holland,	McGinnis,	Wade,
Blass,	Kessler,	McMenamin,	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,			

NAYS—1

McPherson, Jr.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 412, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Department of Commerce and terminating the terms of its officers and employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 729) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue and Department of Public Assistance [and Department of Commerce] and by the following independent administrative boards and commissions Pennsylvania Game Commission Pennsylvania Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 As much of section 202 of said act as applies to the Department of Commerce is hereby repealed

Section 3 Section 206 of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employee of the Department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the

administrative departments following their respective titles

Secretary of the Commonwealth of the Department of State

Attorney General of the Department of Justice

Auditor General of the Department of the Auditor General

State Treasurer of the Treasury Department

Secretary of Internal Affairs of the Department of Internal Affairs

Superintendent of Public Instruction of the Department of Public Instruction

Adjutant General of the Department of Military Affairs

Insurance Commissioner of the Insurance Department

Secretary of Banking of the Department of Banking

Secretary of Agriculture of the Department of Agriculture

Secretary of Forests and Waters of the Department of Forests and Waters

Secretary of Mines of the Department of Mines

Secretary of Highways of the Department of Highways

Secretary of Health of the Department of Health

Secretary of Labor and Industry of the Department of Labor and Industry

Secretary of Welfare of the Department of Welfare

Secretary of Property and Supplies of the Department of Property and Supplies

Secretary of Revenue of the Department of Revenue

Secretary of Public Assistance of the Department of Public Assistance

(Secretary of Commerce of the Department of Commerce)

Section 4 Subsection (a) of section 207 of said act as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows.

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint.

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry the Secretary of Welfare the Secretary of Property and Supplies the Secretary of Revenue the Secretary of Public Assistance [the Secretary of Commerce] and the members of all independent administrative boards and commissions.

The Adjutant General may have the rank of Major General of the Adjutant General's Department in the Pennsylvania National Guard or Pennsylvania Guard or the Governor may designate the ranking line officer of the Pensylvania National Guard or Pennsylvania Guard or an officer of the Regular Army United States Navy United States Coast Guard or United States Marine Corps as Adjutant General Provided That should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for the Adjutant General And provided further That should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence No Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard Pennsylvania Guard or equivalent length of service in the Regular Army of the United States United States Navy United States Coast Guard or United States Marine Corps or Officers Reserve Corps of the United States Army United States Navy Reserve United States Coast Guard Reserve or United States Marine Corps Reserve which service may be cumulative that is service in any one or more of the foregoing services may be added together

The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed

Section 5 Section 209 of said act as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor twenty-five thousand dollars

To the Lieutenant Governor fifteen thousand dollars

To the Secretary of the Commonwealth fifteen thousand dollars

To the Attorney General fifteen thousand dollars

To the Auditor General fifteen thousand dollars

To the State Treasurer fifteen thousand dollars

To the Secretary of Internal Affairs fifteen thousand dollars

To the Superintendent of Public Instruction fifteen thousand dollars

To the Adjutant General fifteen thousand dollars

To the Insurance Commissioner fifteen thousand dollars

To the Secretary of Banking fifteen thousand dollars

To the Secretary of Agricu ture fifteen thousand dollars

To the Secretary of Forests and waters fifteen thousand dollars

To the Secretary of Mines fifteen thousand dollars

To the Secretary of Highways fiften thousand dollars

To the Secretary of Health fifteen thousand dollars

To the Secretary of Labor and Industry fifteen thousand dollars

To the Secretary of Welfare fifteen thousand dollars

To the Secretary of Property and Supplies fifteen thousand dollars

To the Secretary of Revenue fifteen thousand dollars

To the Secretary of Public Assistance fifteen thousand dollars

[To the Secretary of Commerce fifteen thousand dollars]

Neither the Governor Lieutenant Governor nor the head of any administrative department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 6 Article XXV-B of said act is hereby repealed

Section 7 The Department of Commerce as now constituted is hereby abolished and the terms of its officers and employes are hereby terminated as of the effective date of this act

Section 8 All books papers maps charts plans and other records all equipment furniture and furnishings and all space in any buildings owned or leased by the Commonwealth in the possession of the Department of Commerce or any of its officers on the effective date of this act shall be delivered and turned over to the Department of Property and Supplies to be stored sold or destroyed or distributed among other departments boards or commissions having need therefor in accordance with the provisions of the act to which this is an amendment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Toole,
Berger,	Holland,	McGinnis,	Wade,
Blass,	Kessler,	McMenamin,	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wood,

Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,			

NAYS—1

McPherson, Jr.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 413, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Department of Mines transferring the powers and duties of the Department of Mines and the Secretary of Mines to the Department of Labor and Industry and the Secretary of Labor and Industry eliminating certain duties of the Department of Labor and Industry relating to the prevention of industrial accidents to persons and making appropriations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, this is the bill which would abolish the Department of Mines, and transfer its powers and duties to the Department of Labor and Industry.

Mr. President, I feel that certainly the Commonwealth of Pennsylvania, which is historically a great mining State, should assuredly have a Secretary of Mines in the Governor's Cabinet. Also, this bill would not effect any economies. It would take just as much money to operate this particular bureau if it were within the Department of Labor and Industry, as it would if it were a separate department.

Mr. President, I think this particular industry is important enough to have a Secretary of Mines and, therefore, I am going to vote "no" on this particular bill and also ask my colleagues to vote "no".

Mr. HALUSKA. Mr. President, the Democratic Caucus is in accord with the statement made by the Majority Floor Leader. We also feel that the Department of Mines is entitled to their own bureau, and we shall also vote to oppose this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—1

Wood,

NAYS—46

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

Less than a Constitutional majority of all the Senators having voted "aye", the question was determined in the negative.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 414, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and allother assistants and employes of certain departments boards and commissions shall be determined" by making the Banking Board the Building and Loan Board and the Consumer Credit Board departmental administrative boards in the Department of Banking prescribing their powers and duties and abolishing the Board to License Private Bankers

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 3, line 19, by striking out "in part"; Amend Sec. 1, page 4, lines 1 to 6, by striking out all of lines 1 to 5 and "Laws 1245)" in line 6 and inserting in lieu thereof: "twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June, one thousand nine hundred forty-five (P. L. 1398)"; Amend Sec. 1 (Sec. 202) page 4, line 19 by striking out the stars; Amend Sec. 7 (Sec. 202) page 5, lines 1 and 2 by striking out both of said lines; Amend

Sec. 2 (Sec. 428) page 8, line 1 by striking out "declard" and inserting in lieu thereof: "declared"; Amend Sec. 2 (Sec. 428) page 9, line 8, by striking out "deisgnate" and inserting in lieu thereof: "designate".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 414, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 415, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Financial Institutions transferring to it the powers and duties of the Department of Banking and the Insurance Department providing for a Secretary of Financial Institutions defining his powers and duties abolishing the Department of Banking and the Insurance Department conferring additional powers and imposing additional duties upon the Department of State

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 416, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 417, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and other commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring to the Department of Forests and Waters the powers and duties of the Department of Health relating to water pollution the powers and duties of the Department of Internal Affairs relating to the conduct of the topographic and geologic survey the powers and duties of the Department of Highways relating to management and development of the roadside within the right of way of State highways transferring the Sanitary Water Board from the Department of Health to the Department of Forests and Waters and constituting it a departmental administrative board in such department and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I rise to oppose Senate Bill No. 417, Printer's No. 136, because this bill would transfer the Sanitary Water Board from the Department of Health to the Department of Forests and Waters.

Mr. President, the Sanitary Water Board is largely concerned with the purity of our streams and, therefore, it is closely related to the Department of Health and should be under its jurisdiction. I am fearful that if the Sanitary Water Board were placed under the jurisdiction of the Department of Forests and Waters, instead of being concerned with the purity of the streams, it might tend to make regulations which would be of benefit to other groups other than those who are interested in purity and health.

Also, Mr. President, I cannot see where it would effect any economy. It would cost just as much to operate this department under the Department of Forests and Waters as it now costs to operate it under the Department of Health.

Therefore, Mr. President, I oppose this bill, and would ask my colleagues to vote "no" on it.

Mr. LANE. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, did the Chesterman Committee mention any specified amount which would be saved in the event this transfer were made?

Mr. MAHANY. I do not know. Each one of these measures usually represented some saving. I cannot tell you offhand right now how much they had on this one. I would have to consult my report, but I do not have it here with me right now.

Mr. LANE. However, they did mention a specified amount. Is that true?

Mr. MAHANY. I do not know about that on this particular one. They had a specified amount in connection with each one of these but I cannot prove it right now as to whether they had one on this particular one. It is my understanding that they suggested a saving on each one of their recommendations, but unless I had my report here, I could not answer you. If you would like to take a recess until I get my report, I will refer to it.

Mr. LANE. Thank you, Senator Mahany.

(The Senate was at ease.)

Mr. MAHANY. Mr. President, in referring to the Report of the Government Survey Committee, I can find no place in it where it says that this will effect any economy. It evidently was a recommendation because they thought it might improve efficiency, and because they recommended that we merge the Department of Health with the Department of Public Assistance and Welfare. Therefore, if that merger took place, they felt that this particular board should be transferred to the Department of Forests and Waters.

Mr. LANE. Mr. President, in view of the statements made by the Majority Leader, that he admits the Chesterman Committee thought it might improve efficiency, therefore, I recommend that we vote "aye" on this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Camiel,	Lane,	McMenamin,	Stiefel,
DiSilvestro,	Leader,	Ruth,	Weiner,
Haluska,	McCreesh,	Silvert,	Yosko,
Holland,	McGinnis,		

NAYS—28

Bane,	Harney,	McPherson, Jr.	Wade,
Barr,	Kessler,	Miller,	Wagner,
Berger,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Madigan,	Peelor,	Watkins,
Fleming,	Mahany,	Propert,	Watson,
Freed,	Mallery,	Stevenson,	Wolfe,
Hare,	McCusker,	Taylor,	Wood,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 418, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred tweny-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commission and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring to the Department of State certain powers and duties of the Department of Internal Affairs and Department of Forests and Waters and the boards of such deparments administering certain of such transferred powers and duties

And said bill having been read a length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, Senate Bill No. 418, Printer's No. 137, would be necessary if the Senate had passed the bill to abolish the Department of Internal Affairs. Inasmuch as the bill to abolish the Department of Internal Affairs did not pass the Senate, then this bill is not necessary, and would only serve to deplete further the powers and duties of that particular Department of Internal Affairs.

Therefore, Mr. President, I am voting "no" on Senate Bill No. 418, and ask by colleagues to vote "no" also.

Mr. HOLLAND. Mr. President, as a point of information, this bill should be dropped from the Calendar and not voted upon, because we killed the bill on which it depends.

The PRESIDENT. The Chair is of the opinion that if the Senator wishes to vote "no," it will fall quite heavily from the Calendar.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—3

Leader,	McMenamin,	Yosko,

NAYS—44

Bane,	Haluska,	McCreesh,	Stiefel,
Barr,	Hare,	McCusker,	Taylor,
Berger,	Harney,	McGinnis,	Toole,
Blass,	Holland,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Stevenson,	Wood,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 421, on third reading, entitled:

An Act to amend the title and the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws," by changing the definitions of "Board" and "Department" changing the name of the department responsible for the issuance of licenses and transferring the State Board of Funeral Directors from the Department of Health to the Department of State

go over in its order.

The PRESIDENT. Is there objection- The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and conderation of Senate Bill No. 422, as follows:

An act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1889) is hereby further amended to read as follows

Section 7 Licensing of Projectionists Except in Cities of the First Class and Second Class No person shall be permitted to project any motion picture either theatrical or non-theatrical until he has obtained a license from the Department of Labor and Industry after passing an examination prescribed by the said department for which fees shall be charged as hereinafter provided and no person shall be permitted in any projection room during any performance except licensed projectionists apprentice projectionists the manager or owner of the theater or authorized officials of the Department of Labor and Industry Any license may be suspended or revoked for due cause but no license shall be revoked until the projectionist or apprentice projectionist has been granted a hearing before the Secretary of Labor and Industry The amendment providing for the licensing of projectionists in cities of the second class A to become effective as of the first day of January one thousand nine hundred fifty-two.

Every application for examination as a projectionist shall be accompanied by a fee of [two dollars ($2.00)] three dollars ($3.00) If the applicant is successful a certificate of competency and a license shall be issued upon payment of an additional fee of [five dollars (5.00)] seven dollars fifty cents ($7.50) for projectionists of theatrical or commercial motion pictures or a fee of [two dollars ($2.00)] three dollars ($3.00) for projectionists of non-theatrical motion pictures There shall be no examination fee required from apprentice projectionists but there shall be a license fee of [three dollars (3.00)] four dollars fifty cents ($4.50) required the same to accompany application from the apprentice projectionist For the annual renewal of license for a theatrical or commercial projectionist there shall be a fee of [five dollars (5.00)] seven dollars fifty cents ($7.50) charged the same to accompany the application for renewal of license and for non-theatrical projectionists the renewal fee shall be [two dollars ($2.00)] three dollars ($3.00) The renewal fee for apprentice license shall be [one dollar ($1.00)] two dollars ($2.00) All fees shall be paid to the Department of Labor and Industry and by the said department paid to the State Treasurer through the Department of Revenue for the use of the Commonwealth.

Section 2 Section eight of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 908) is hereby further amended to read as follows

Section 8 Approval of Plans It shall be the duty of the owner architect or contractor of every building or structure as described in this act hereafter erected adapted remodeled or altered to submit to the Department of Labor and Industry for approval architectural drawings specifications or other data showing compliance with the provisions of this act and the rules and regulations of the said department which may be promulgated for the enforcement of the provisions of this act No such building or structure shall be erected adapted remodeled or altered until such plans have been examined and approval given by the Department of Labor and Industry and a building permit obtained in municipalities where such permit is required by ordinance.

For making the necessary examination for approval of architectural drawings specifications or other data the department shall make a charge equal to the actual cost of making such examinations not however to exceed the sum of [fifty dollars ($50)] seventy-five dollars ($75.00) and no such drawing specifications or other data shall be approved until payment is made of the fee charged therefor All fees received by the said department for making such examinations shall be paid into the State Treasury through the Department of Revenue

Any such owner architect or contractor whose drawings or specifications have been submitted to and approved by said department as herein provided may proceed with the erection adapting remodeling or altering of such building or structure without submitting such drawings or

specifications to or obtaining the approval of any other department board or agency of the State government

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representative for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 423, as follows:

An Act to amend sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" are hereby amended to read as follows

Section 10 No person shall open keep or carry on any employment agency in the Commonwealth of Pennsylvania unless every such person shall have paid to the department a license fee as follows

(1) For licenses to be known as class "A" licenses and which shall be required by all employment agents who confine their operations to persons listed as metal and metal products workers mine and quarry workers clay glass and stone products workers iron workers clothing workers textile workers food and kindred products workers leather rubber and composition goods workers lumber woodwork and furniture workers paper and printing workers unskilled and common laborers hotel and restaurant help domestic and industrial help of all kinds the sum of [one hundred ($100) dollars] one hundred fifty dollars ($150)

(2) For licenses to be known as class "B" licenses and which shall be required by all employment agents known as professional or technical and who confine their operations to nurses teachers advertising managers bookkeepers and accountants cashiers chemists draftsmen surveyors and transit men engineers salesmen and solicitors superintendents and foremen traffic managers agricultural experts chemical workers explosive workers auto mechanics and garage workers chauffeurs and truck drivers aircraft workers inspectors telegraph operators telephone operators station employes shipping and stock clerks store managers beauticians stenographers and typists linotype operators printers and compositors proofreaders office clerks timekeepers tobacco workers and traders and all other similar occupations not listed under clause (1) of this section the sum of [one hundred ($100) dollars] one hundred fifty dollars ($150)

(3) For licenses to be known as class "C" licenses and which shall be required by all employment agencies known as theatrical employment agencies and who confine their operations to actors actresses musicians and performers of all kinds the sum of [one hundred ($100) dollars] one hundred fifty dollars ($150)

Section 14 No person shall enter this Commonwealth and attempt to hire induce solicit or take from this Commonwealth any labor singly or in groups for any purpose without first filing in the office of the department a statement as to where the labor is to be taken for what purpose for what length of time and whether transportation is to be paid to and from destination if temporary also a statement of the financial standing of the company desiring the labor and an affidavit of authority to represent such company in this Commonwealth and such other information as the department may require

The department shall thereupon determine whether the person desiring such labor from this Commonwealth is an employment agent and if so whether such person is qualified to be licensed under this act After such investigation the department may refuse to license or may grant a license upon compliance with the provisions of this act Such person shall in the event of unfavorable action by the department have the right of appeal as in other cases under this act If such person shall be exempted from license he shall pay for registration a fee of [five ($5.00) dollars] ten dollars ($10.00) and receive therefor from the department a certificate recognizing his right to do business in this Commonwealth

Section 15 It shall be unlawful for any person to act or assume to act as the representative of any employment agency without first obtaining a license as such representative from the department It shall be unlawful for any person to engage in operate or carry on the business of an employment agency unless each representative of such agency is a licensed employment representative

Every person who desires to obtain a license as employment representative shall apply therefor to the department in writing upon application blanks prepared and furnished by the department Each application shall set forth such information as the department may require and shall be accompanied by the affidavits of two persons of business or professional integrity residing in the city borough town or township wherein the applicant resides Such affiants shall state that they have known the applicant for a period of two years and that the applicant is a person of good moral character

The department may require such other proof as to the honesty truthfulness and integrity of the applicant as it deems necessary If the applicant is shown to be honest truthful and of known integrity the department shall issue a license which license shall set out the true name and address of the applicant the name of the employment agent by which he is employed and such additional information as the department may prescribe The license issued shall authorize the person named therein to act as a representative

The department shall charge an annual fee of [five ($5.00) dollars] twenty-five dollars ($25.00) for issuing

each such license which fee shall be paid at the time application is made

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska.	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 424, as follows:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" is hereby amended to read as follows

Section 9 After January first one thousand nine hundred and thirty-eight every person storing or in possession of explosives shall be required to have a license for each magazine used for the storing or placing of explosives which license shall be issued on a form prepared and furnished by the Department of Labor and Industry The application for license shall be accompanied by the proper license fee which shall be prescribed by the Department according to the quantity of explosives which are to be stored or placed in the magazine and shall not be less than [two dollars and fifty cents ($2.50)] three dollars and fifty cents ($3.50) nor more than [twenty-five ($25)] fifty dollars ($50) Such license shall be kept posted conspicuously in or about the magazine for which issued Licenses shall expire annually on the thirty-first day of December and shall be renewed annually upon payment of the fee as specified in this section

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 425, as follows:

An Act to further amend sections four five and ten of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as amended and reenacted by the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 277) are hereby further amended to read as follows

Section 4 Examination of Inspectors and Fees Therefor No person shall inspect elevators unless he has passed a written examination prescribed by the department Application for examination shall be made in writing upon a form furnished by the department and shall be accompanied by an examination fee of [ten] fifteen dollars ($15) If the applicant is successful in passing the said examination a certificate of competency and a commission shall be issued upon the payment of an additional fee of [five dollars] seven dollars and fifty cents ($7.50) All inspectors shall be required to secure a new credential card each year by application to the department which application shall be accompanied by a fee of [two] three dollars ($3) The Secretary of Labor and Industry may suspend any commission for due cause but no commission may be revoked until the inspector has been granted a hearing

Section 5 Inspection of Insured Elevators If an elevator is insured by a company authorized to insure elevators in this Commonwealth against loss from accident the inspection may be made by an employe of such company and the only fee collectible by the Commonwealth shall be the certificate fee of [one dollar] two dollars ($2) hereinafter provided for in this act

Section 2 Section ten of said act as last amended by the act approved the twenty-first day of June one thousand

nine hundred forty-seven (P. L. 791) is hereby further amended to read as follows

Section 10 Fees for Inspection The fee for the certificate of operation for all insured and uninsured elevators shall be [two dollars ($2)] three dollars ($3) When elevators are inspected by inspectors of the department the following fees shall be charged in addition to the certificate fee

For passenger elevators fees not exceeding [eighteen dollars ($18)] twenty dollars ($20) per annum

For freight elevators including gravity elevators fees not exceeding [nine ($9) dollars] ten dollars ($10) per annum

For dumb-waiters hoists and other lifting apparatus fees not exceeding [four dollars and fifty cents ($4.50)] five dollars ($5) per annum

For building hoists fees not exceeding [four dollars and fifty cents ($4.50)] five dollars ($5) for each inspection

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 426, as follows:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) is hereby further amended to read as follows

Section 305 Every employer liable under this act to pay compensation shall insure the payment of compensation in the State Workmen's Insurance Fund or in any insurance company or mutual association or company authorized to insure such liability in this Commonwealth unless such employer shall be exempted by the department from such insurance An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the department showing his financial ability to pay such compensation whereupon the department if satisfied of the applicant's financial ability shall upon the payment of a fee of [twenty-five dollars ($25,000)] fifty dollars ($50.00) issue to the applicant a permit authorizing such exemption From a refusal of the department to issue such permit an appeal shall lie to the court of common pleas of Dauphin County In any such appeal the only question shall be whether the department abused its discretion in refusing such permit The department shall establish a period of twelve (12) calendar months to begin and end at such times as the department shall prescribe which shall be known as the annual exemption period Unless previously revoked all permits issued under this section shall expire and terminate on the last day of the annual exemption period for which they were issued Permits issued under this act shall be renewed upon the filing of an application and the payment of a renewal fee of [twenty-five dollars] fifty dollars ($50.00) The department may from time to time require further statements of the financial ability of such employer and if at any time such employer appear no longer able to pay compensation shall revoke its permit granting exemption in which case the employer shall immediately subscribe to the State Workmen's Insurance Fund or insure his liability in any insurance company or mutual association or company as aforesaid

If any employer fails to comply with the provisions of this section such employer shall be guilty of a misdemeanor and upon conviction thereof for every such failure shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) and costs of prosecution or imprisonment for a period of not more than six months or both at the discretion of the court Every day's violation shall constitute a separate offense It shall be the duty of the department to enforce the provisions of this section and it shall investigate all violations that are brought to its notice and shall institute prosecutions for violations thereof All fines recovered under the provisions of this section shall be paid by the clerk of the court to the department and by it paid into the State Treasury

In any proceeding against an employer under this section a certificate of non-insurance issued by the official Workmen's Compensation Rating and Inspection Bureau and a certificate of the department showing that the defendant has not been exempted from obtaining insurance under this section shall be prima facie evidence of the facts therein stated

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 427, as follows:

An Act to amend section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

Section 5 Examination of Inspectors and Fees Therefor No person shall inspect boilers for the department unless he has passed a written examination prescribed by the department Application for examination as an inspector of boilers shall be in writing upon a form furnished by the department and shall be accompanied by a fee of [ten] fifteen dollars If the applicant is successful in passing the said examination a certificate of competency and commission shall be issued upon the payment of an additional fee of [five dollars] seven dollars and fifty cents All inspectors shall be required to secure a new credential card each year by application to the department which application shall be accompanied by a fee of [two] three dollars The Secretary of Labor and Industry may suspend any commission for due cause but no commission may be revoked until the inspector has been granted a hearing

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 428, as follows:

An Act to amend the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penaltiesand repealing certain acts" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section six subsection (c) of section eight and subsection (e) of section nine of the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penalties and repealing certain acts" are hereby amended to read as follows

Section 6 * * * * *

(b) For all initial permits issued as required by the preceding section there shall at the time of issue thereof be paid by the applicant to the Department of Labor and Industry a fee of twenty-five dollars ($25.00) An annual renewal charge of [one dollar ($1.00)] five dollars ($5.00) shall be paid to the same department

* * * * *

Section 8 * * * * *

(c) Adhesive stamps as provided for by this act shall be furnished by the Secretary of Labor and Industry in quantities of not less than one thousand (1000) for which the applicant shall pay [ten dollars ($10.00)] fifteen dollars ($15.00) for each one thousand stamps The Secretary of Labor and Industry is hereby authorized to prepare and cause to be printed adhesive stamps which shall contain a replica of the seal of the Commonwealth the registry number of the person applying therefor and such other matter as the secretary shall direct

(e) All auctioneers shall be required to be registered in the Department of Labor and Industry and shall secure thereupon a certificate authorizing the sterilization of articles under the jurisdiction of this act by an approved process Each certificate at the time of issue thereof shall be subject to a fee of [five dollars ($5.00)] ten dollars ($10.00) with an annual renewal of [one dollar ($1.00)] five dollars ($5.00)

* * * * *

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

—YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for ten minutes, for the purpose of holding a meeting of the Local Government Committee.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Henry Houck, Pottsville, Schuylkill County, for reappointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1963.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John G. Love, Esq., Bellefonte, Centre County, for appointment as a member of the Board of Trustees of Hollidaysburg State Hospital, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, SHIPPENSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Shippensburg State Teachers' College:

Earle H. Schaeffer, Camp Hill, Cumberland County, to serve until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified. (Reappointment.)

Mrs. Grace Sponseller, Shippensburg, Cumberland County, to serve until the third Tuesday of January 1959, and until her successor shall have been appointed and qualified. (Reappointment.)

Carl Naugle, Shippensburg, Franklin County, to serve until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified (Reappointment.)

Raymond G. Mowery, Quincy, Franklin County, to serve until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified. (Reappointment.)

John W. Lackhove, North Morris Street, Shippensburg, Franklin County, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

Rev. Simpson B. Daugherty, 45 South West Street, Carlisle, Cumberland County, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, EASTERN STATE PENITENTIARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Williams, 1214 Wakeling Street, Philadelphia, for reappointment as a member of the Board of Trustees of Eastern State Penitentiary, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. E. Andrews, 919 Liberty Street, Franklin, Venango County, for appointment as Alderman in and for the First Ward of the City of Franklin, Venango County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ethel Brooks, Covington, Tioga County, for appointment as Justice of the Peace in and for the Township of Covington, Tioga County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George W. Lallement, Westover, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Westover, Clearfield County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Loy C. Gobrecht, Alum Rock, Clarion County, for appointment as Justice of the Peace in and for the Township of Richland, Clarion County, to serve until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold M. Brooks, Star Route Box No. 3, Renovo, Clinton County, for appointment as Justice of the Peace in and for the Township of Leidy, Clinton County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF ADVISORY HOSPITAL COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold T. Prentzel, Administrator, Montgomery Hospital, Norristown, Montgomery County, for reappointment as a member of the Advisory Hospital Council, to serve until November 18, 1956, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, HOLLIDAYSBURG STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1953

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice M. Clouse, Waterside, Bedford County, for appointment as a member of the Board of Trustees of Hollidaysburg State Hospital for the term of four years and until his successor is qualified.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,	Stiefel,	

NAYS—0

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE MEMORIALIZING CONGRESS OF THE UNITED STATES TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND TRADE LEGISLATION

Mr. LETZLER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The President. Is there objection The Chair hears none.

Messrs. LETZLER AND PEELOR offered the following concurrent resolution which was twice read and referred to the Committee on Mines and Mining:

In the Senate, April 15, 1953.

Whereas, The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability;

Whereas, The lower wages paid abroad make it impossible for many of our own smaller and medium-sized producers to compete with imports without resorting to ruinous price-cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment;

Whereas, Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent;

Whereas, Pressure that comes from imports of residual fuel oil, having risen from an average of fifty million barrels in the 1946-1948 period to more than one hundred twenty-five million in 1952, or the equivalent of thirty-one million tons of coal; from imports of pottery, watches and parts, glassware, lace, carpets and other textiles, hats and millinery, chemicals, scientific apparatus, cutlery, dairy products, wall paper, luggage and leather goods, and many other articles, will render the upholding of the economy at its high levels most uncertain and difficult, unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus contained; and

Whereas, A maximum of such trade results from a pros-

perous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (if the House of Representatives concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation against the destruction or lowering of our American standard of living, the labor standards of our workmen and the stability of our economy by unfair import competition and that existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives and each Senator and Representative from Pennsylvania in the Congress of the United States.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 47, on second reading, entitled:

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 51, on second reading, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 89, on second reading, entitled:

An Act to add subsection (d) to Section 1013 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring vehicles street cars and trackless trolley omnibuses to yield the right of way after stopping at an intersection marked with an official "Stop" sign

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 110, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts by making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 215, on second reading, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the administration of the fiscal affairs of the county institution districts regulating the making of contracts and purchases authorizing such districts to take by gift grant device or bequest money and property in trust and conferring powers and imposing duties on county commissioners county treasurer county controllers and county auditors

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 304, on second reading, entitled:

An Act to further amend Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as last amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" by further regulating the licensing and conditions for transaction of such business

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 324, on second reading, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 325, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public officers occurring under condidtions for which said election code does not prescribe machinery

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 349, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioners and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 354, on second reading, entitled:

An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 435, on second reading, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 485, on second reading, entitled:

An Act to further amend Section 1 of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 743, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 215 CALLED UP

Mr. MAHANY. Mr. President, I call up from the Second Reading Calendar Senate Bill No. 215, Printer's No. 122, which went over in its order temporarily, in order that it might be amended at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 215, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the administration of the fiscal affairs of the county institution districts regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property in trust and conferring powers and imposing duties on county commissioners county treasurer county controllers and county auditors

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 1 (Sec. 305), page 5, line 4, by striking out "To" and inserting in lieu thereof: "In counties of the third to eighth classes to".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 2, page 5, line 13 by inserting after "repealed": "in so far as it relates to counties of the third to eighth classes".

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 3, (Sec. 309) page 5, line 16 by inserting after "309": "In Counties Third to Eighth Classes"; Amend Sec. 3, (Sec. 309) page 5, line 17 by inserting after "district": "in counties of the third to eighth classes"; Amend Sec. 3 (Sec. 309.1) page 6, line 1 by inserting after "309.1": "In Counties of the Third to Eighth Classes"; Amend Sec. 3 (Sec. 309.1) page 6, line 1 by striking out "The" and inserting in lieu thereof: "In counties of the third to eighth classes the"; Amend Sec. 3 (Sec. 309.1) page 6, line 5 by inserting after "controller": "in such counties"; Amend Sec. 3 (Sec. 309.1) page 7, line 3 by inserting after "In": "such"; Amend Sec. 3 (Sec. 309.2), page 7, line 8 by inserting after "309.2": "In Counties of the Third to Eighth Classes"; Amend Sec. 3 (Sec. 309.2), page 7, line 9 by inserting after "budget": "in counties of the third to eighth classes"; Amend Sec. 3 (Sec. 309.2), page 7, line 11 by inserting after "published": "once in at least one newspaper of general circulation"; Amend Sec. 3 (Sec. 309.2) page 7, line 14 by striking out "likewise" and inserting in lieu thereof: "in like manner"; Amend Sec. 3 (Sec. 309.2) page 7, line 16 by inserting after "budget": "in such counties"; Amend Sec. 3 (Sec. 309.3) page 8, line 7 by inserting after "309.3": "In Counties of the Third to Eighth Classes"; Amend Sec. 3 (Sec. 309.3) page 8, line 8 by striking out "The" and inserting in lieu thereof: "In counties of the third to eighth classes the"; Amend Sec. 3 (Sec. 309.4) page 8, line 19 by inserting after "309.4": "In Counties of the Third to Eighth Classes"; Amend Sec. 3 (Sec. 309.4), page 8, line 20, by inserting after "commissioners": "in counties of the third to eighth classes"; Amend Sec. 3 (Sec. 309.5), page 9, line 15, by inserting after "309.5": "In Counties of the Third to Eighth Classes"; Amend Sec. 3 (Sec. 309.5), page 9, line 17, by inserting after "commissioners": "in counties of the third to eighth classes."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 4 (Sec. 310), page 11, line 5, by inserting after "commissioners": "in counties of the third to eighth classes"; Amend Sec. 4 (Sec. 310), page 11, line 6, by inserting after "in": "all"; Amend Sec. 4 (Sec. 310), page 11, line 12, by striking out "The" and inserting in

lieu thereof: "In counties of the third to eighth classes the"; Amend Sec. 4 (Sec. 310), page 12, line 2, by inserting a bracket before and after the word "He" and inserting immediately following thereafter: "In all counties"; Amend Sec. 4 (Sec. 310), page 15, line 4 by striking out "The" and inserting in lieu thereof: "In counties of the third to eighth classes the"; Amend Sec. 4 (Sec. 310), page 16, line 15, by inserting a bracket after "[All" and inserting immediately following thereafter: "In counties of the second class all"; Amend Sec. 4 (Sec. 310), page 16, line 16 by inserting after "commissioners" where it appears the second time: "in such counties"; Amend Sec. 4 (Sec. 310), page 16, line 18, by striking out the bracket after the word "section]"; Amend Sec. 4 (Sec. 310), page 16, line 19, by striking out the bracket before "[(i)"; Amend Sec. 4 (Sec. 310), page 16, line 19, by inserting a bracket before and after "All" and inserting immediately following thereafter: "In counties of the second class all"; Amend Sec. 4 (Sec. 310), page 16, line 20, by striking out the bracket after the word "shall]"; Amend Sec. 4 (Sec. 310), page 17, line 1, by striking out the bracket before the word "[keep"; Amend Sec. 4 (Sec. 310), page 17, line 14, by striking out the bracket after the word "district]"; Amend Sec. 4 (Sec. 310), page 17, line 15, by striking out "(i) The" and inserting in lieu thereof: "(j) In counties of the third to eighth classes the".

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the Section

Mr. STEVENSON offered the following amendments:

Sec. 5 (Sec. 310.1), page 18, line 15, by inserting after "310.1": "In Counties of the Third to Eighth Classes"; Amend Sec. 5 (Sec. 310.1), page 18, line 15, by inserting after "controller": "in counties of the third to eighth classes"; Amend Sec. 5 (Sec. 310.2), page 20, line 17, by inserting after "310.2": "In Counties of the Third to Eighth Classes"; Amend Sec. 5 (Sec. 310.2), page 20, line 7, by inserting after "controller" where it appears the second time: "in such counties"; Amend Sec. 5 (Sec. 310.3), page 20, line 17, by inserting after "310.3": "In Counties of the Third to Eighth Classes"; Amend Sec. 5 (Sec. 310.3), page 20, line 18, by inserting after "controller": "In counties of the third to eighth classes".

They were agreed to.

The section was agreed to as amended.

The sixth, seventh and eighth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 2, line 13 of Title, by inserting after "districts": "in counties of the third to eighth classes".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 215, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 487, entitled:

An Act making certain deaths by vehicles a misdemeanor; regulating introduction of judgment or conviction thereof in civil actions and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Mr. SILVERT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. SILVERT and STIEFEL read in place and presented to the Chair Senate Bill No. 488, entitled:

An Act to amend Section 701 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that juries shall bring in two verdicts in cases of murder of the first degree.

Which was committed to the Committee on Judiciary General.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 419, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commisisons, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and all other assistants and employes of certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all otherassistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Public Works; transferring to

it all of the powers and duties of the Department of Highways, and the State Planning Board, all of the powers and duties of the Pennsylvania Aeronautics Commissions, except the inspection, regulation and licensing of airports, those powers and duties of the Department of Property and Supplies relating to the management and control, construction and repair of all buildings owned or leased by the Commonwealth, and those powers and duties of the Department of Internal Affairs relating to municipal and township development; transferring the Board of Commissioners of Public Grounds and Buildings, the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works; providing for a Secretary of Public Works; defining his powers and duties; abolishing the Department of Highways, the State Planning Board and the Pennsylvania Aeronautics Commission; reconstituting the State Planning Board and advisory board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Public Works; creating the State Procurement Board a departmental administratitve board within the Department of Property and Supplies; and transferring appropriations.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 420, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive administration officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing within the framework of the executive and administrative branch of the government administrations, designating the heads of administrations and their powers and duties, establishing the office of Executive for Administration and defining his powers and duties.

And said bill having been read at length the first time,

Ordered to be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, April 20, 1953, at 4 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:06 o'clock, p.m., Eastern standard time, until Monday, April 20, 1953, at 4:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 15, 1953.

The House met at 11:00 a. m.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, we pray Thee to guide by Thy Holy Spirit the Assembly of the State of Pennsylvania. Give them a right judgment in all things, and the will to seek not only the welfare of their own people, but the greater good of the security and peace and unity of all mankind, that so Thy kingdom may be advanced in the earth; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, April 14, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, April 14 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. PAUL G. MURRAY. HOUSE BILL No. 1111.

An Act to further amend Section 603 and to amend Section 622 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by further regulating the issuance, renewal and revocation of agent's and broker's licenses.

Referred to the Committee on Insurance.

By Mr. WEIDNER. HOUSE BILL No. 1112.

An Act providing for assistance by the Commonwealth to its political subdivisions or institution districts in the maintenance of and services to pulmonary tuberculosis patients in tuberculosis hospitals, wings or pavilions and isolation wards, in general hospital and the purchase of medical care for such patients, and conferring powers and imposing duties upon the Secretary of Health and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. WEIDNER and READINGER. HOUSE BILL No. 1113.

An Act to further amend the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled, as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment, and collecting of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by extending all the provisions of the act to include townships of the second class.

Referred to the Committee on Townships.

By Mr. TOMPKINS. HOUSE BILL No. 1114.

An Act to add clause (n) to Section 1802 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers' Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges on land under its jurisdiction.

Referred to the Committee on Game and Forestry.

By Mr. TOMPKINS. HOUSE BILL No. 1115.

An Act to amend subsection (f) of Section 906 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consoidating, and changing the law relating thereto," by authorizing the Pennsylvania Game Commission to grant certain privileges on land under its jurisdiction.

Referred to the Committee on Game and Forestry.

By Messrs. WHITENIGHT and DOWNEY. HOUSE BILL No. 1116.

An Act authorizing the establishment at The Pennsylvania State College of a School of Veterinary Medicine and Surgery for the training of men and women as rural veterinary doctors; providing for a board of trustees as a departmental administrative board within the Department of Public Instruction to manage such school; conferring powers and imposing duties on such board; providing for admission of applicants to the school; requiring the erection and construction of necessary buildings and providing the necessary equipment therefor; requiring the establishment of an animal hospital in connection therewith and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. WATERHOUSE, BLAIR and QUISENBERRY. HOUSE BILL No. 1117.

An Act making an appropriation to the Department of Forests and Waters for the protection and stabilization of Presque Isle Peninsula and Erie Harbor at Erie.

Referred to the Committee on Appropriations.

By Mr. KENT. HOUSE BILL No. 1118.

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

Referred to the Committee on Ways and Means.

By Mr. KENT. HOUSE BILL No. 1119.

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships; providing for the computation, payment, assessment, settlement and resettlement of the tax, and reviews and appeals therefrom; conferring powers, and imposing duties on certain persons, corporations and certain partnerships, State officers, boards and departments; requiring certain reports; creating a lien for unpaid tax; imposing penalties; and repealing certain acts relating to corporations and certain partnerships.

Referred to the Committee on Ways and Means.

By Mr. POLEN. HOUSE BILL No. 1120.

An Act prescribing certain rights of employment and reemployment for members of the General Assembly.

Referred to the Committee on State Government.

By Mr. POLEN. HOUSE BILL No. 1121.

An Act to amend Section 1 of the act, approved the first day of June, one thousand nine hundred seven (P. L. 359), entitled "An act forbidding those officers, employes, or agents of any railroad company operating within this Commonwealth, who have charge, directly or indirectly, of the distribution of cars to shippers thereon, to own or have any interest, directly or indirectly in any operated coal property, or in the stock of any mining or manufacturing company, along the line of such railroad; making the violation hereof a misdemeanor, and providing a punishment for the same," by providing for reinstatement of railroad agents and employes and certain of their rights subsequent to disqualification.

Referred to the Committee on Railroads and Railways.

By Mr. PETROSKY. HOUSE BILL No. 1122.

An Act to further amend clause (f) of Section 302 and clause (f) of Section 401 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing that voluntary retirement after reaching age sixty shall not disqualify an employe for unemployment compensation.

Referred to the Committee on Workmen's Compensation.

By Mr. GLICK. HOUSE BILL No. 1123.

An Act requiring the licensing and bonding of collection agencies; imposing duties on the Department of Public Instruction; providing for suspension and revocation of licenses and forfeiture of bonds; and fixing penalties.

Referred to the Committee on Professional Licensure.

By Mr. FLEISCHMAN. HOUSE BILL No. 1124.

An Act to add Section 2409.1 to the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers' Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for purchases of blind-made products and services.

Referred to the Committee on State Government.

By Mr. BLAIR. HOUSE BILL No. 1125.

An Act to further amend Section 1109 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring school districts to erect school bus stop signs.

Referred to the Committee on Motor Vehicles.

By Mr. BLAIR. HOUSE BILL No. 1126.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley

omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the inspection period for certain vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. DUNN. HOUSE BILL No. 1127.

An Act providing for the conducting of and legalizing lotteries by the State; imposing duties on the Liquor Control Board; creating a State Lottery Commission, and making appropriations.

Referred to the Committee on Law and Order.

By Messrs. BANKER and CLAPPER.
HOUSE BILL No. 1128.

An Act to further amend section 16 of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents and boards of school directors; and imposing penalties," by further providing for the registration of unregistered persons otherwise qualified to vote; providing penalties.

Referred to the Committee on Elections and Apportionment.

By Messrs. LIMPER and PFAFF.
HOUSE BILL No. 1129.

An Act providing for compulsory motor vehicle liability insurance.

Referred to the Committee on Motor Vehicles.

By Mr. GEER. HOUSE BILL No. 1130.

An Act to establish a court of domestic relations in Allegheny County, defining its jurisdiction; prescribing its powers and duties; and regulating procedure therein.

Referred to the Committee on Judiciary.

By Mr. WILT. HOUSE BILL No. 1131.

An Act to further amend section 1211 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further limiting prosecutions for summary offenses and the authority of the State Police.

Referred to the Committee on Motor Vehicles.

By Messrs. BOLTON, SCHMIDT, SEYLER and PRICE.
HOUSE BILL No. 1132.

An Act to amend Section 405 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations, imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by further providing for the powers and duties of local authorities as to children.

Referred to the Committee on Welfare.

By Mr. BOMBERGER. HOUSE BILL No. 1133.

An Act to further amend article nine of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject mater of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of ve-

hicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring that scales used in determining weights of vehicles and loads be tested and approved, and authorizing inspectors of weights and measures to make such tests.

Referred to the Committee on Motor Vehicles.

By Messrs. KRATZ and BOLTON.

HOUSE BILL No. 1134.

An Act to amend Section 57 of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427) entitled "An act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," by requiring appeals to the supreme court in murder or voluntary manslaughter cases, shall be accompanied by affidavit as to assets and liabilities of defendant and identity of person paying for such appeal.

Referred to the Committee on Judiciary.

By Mr. MATHEWS. HOUSE BILL No. 1135.

An Act making it unlawful for individuals or corporations to carry on any business under an assumed or fictitius name; style or designation, unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring nonresident applicants to have a resident agent; prescribing the effect of failure to file such application; providing for notice of change of address; for amended certificates; publication of cancellation or withdrawal; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners, at the expense of the county, to provide books or other means of reproduction for the entry of such applications; requiring the cancellation of such application or the withdrawal from the business; providing methods therefor; limiting the period of validity for certificates; providing for issuance of renewal certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties.

Referred to the Committee on Judiciary.

By Messrs. ROBERT K. HAMILTON and FROST.

HOUSE BILL No. 1136.

An Act to amend Section 8 of the act approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further regulating audits of authority affairs.

Referred to the Committee on Municipal Corporations.

By Mr. YOUNG. HOUSE BILL No. 1137.

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by requiring one year of approved hospital internship as an additional requirement for licensure; exempting interns and residents from the provisions of the act; and requiring interns and residents to register with the State Board of Osteopathic Examiners.

Referred to the Committee on Professional Licensure.

By Mr. SEYLER. HOUSE BILL No. 1138.

An Act creating a court of record in each judicial district to be known as "The Domestic Relations Court," defining the powers of the said court, with respect to the care, guidance, control, trial, placement and commitment of certain delinquent, and neglected children, and of other persons contributing to or encouraging the delinquency, neglect and dependency of children, granting jurisdiction and powers to the said court in adoption, divorce and nullification of marriages, maintenance desertion and nonsupport of women and children, and the custody of children.

Referred to the Committee on Judiciary.

By Messrs. McCULLOUGH, GOODLING and STIMMEL.

HOUSE BILL No. 1139.

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for farm fish pond licenses; regulating the use of such ponds and the terms of such licenses, and prescribing penalties.

Referred to the Committee on Fisheries.

By Messrs. WEIDNER, RAGOT, WILBUR H. HAMILTON and WHALLEY. HOUSE BILL No. 1140.

An Act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Referred to the Committee on Elections and Apportionment.

By Messrs. ROBERT K. HAMILTON, WILLIAM B. SMITH and STONE. HOUSE BILL No. 1141.

An Act authorizing the directing the Department of Highways, with the approval of the Governor, to erect and maintain a bridge over the Ohio River in Beaver County, from a point between the boroughs of Monaca and Aliquippa on the west side of the Ohio River to a point in or about Crows Run on the opposite side of the Ohio River; and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages and making an appropriation.

Referred to the Committee on Highways.

By Messrs. ZIEGLER and OGILVIE.

HOUSE BILL No. 1142.

A Joint Resolution proposing an amendment to section one of article eighteen of the Constitution of the Commonwealth of Pennsylvania by limiting approval of proposed amendments to one Legislature.

Referred to the Committee on State Government.

By Messrs. ZIEGLER, HELM, and WOOD.

HOUSE BILL No. 1143.

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover; providing penalties, and making an appropriation," by requiring the General Assembly to approve the designation of limited access highways.

Referred to the Committee on Highways.

By Messrs. LEDERER, KOLANKIEWICZ, and WHITE.

HOUSE BILL No. 1144.

A Supplement to the act approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," providing that the duties therein imposed upon the county commissioners of counties of the first class are hereby imposed upon the city commissioners of the city of Philadelphia.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MULDOWNEY and McCORMACK.

RESOLUTION No. 48.

In the House of Representatives, April 14, 1953.

Resolved, That Rule Fourteen of the Rules of the House of the 1951 session, shall be amended to read as follows:

Order of Business

14. The daily order of business shall be as follows:

First. Prayer by the Chaplain.

Second. Pledge of Allegiance to the flag of the United States of America by the members.

Third. Corrections to the Journal and approval of the preceding day's Journal.

Fourth. The referring to proper commitees by the Speaker of bills, resolutions, letters, petitions, memorials, remonstrances and accompanying documents.

Fifth. The asking of leave of absence.

Sixth. The receiving of reports of committees.

Seventh. Bills on first reading.

Eighth. Bills on second reading.

Ninth. Bills on final passage recalled from the Governor.

Tenth. Bills on final passage. (Bills on final passage postponed calendar may be called up under this order of business.)

Eleventh. Bills on third reading and final passage. (Bills on the third reading or final passage postponed calendar may be called up under this order of business.)

Twelfth. Resolutions (House and concurrent.)

Thirteenth. Unfinished business.

Any subject may by a majority vote of the House be made a special order of business and when the time fixed for its consideration arrives the Speaker shall lay it before the House. A similar vote shall be required to rescind or postpone a special order of business.

Referred to the Committee on Rules.

By Messrs. KRATZ, THOMAS H. W. JONES, LAFORE, BOLTON and WILLAREDT.

RESOLUTION —. (Not printed)

In the House of Representatives, April 14, 1953.

During the competition at Reading, Pennsylvania, the Jenkintown High School basketball team emerged triumphant over a formidable opponent, Centre Hall, to win the Class B Championship of Pennsylvania.

With that victory, Jenkintown High School became the first team in the history of the competition to hold that championship during two consecutive years.

The victory is well deserved and the honor well placed, for during their game in the Tri-County League, and their emergence as District One Champion, the team has established an enviable reputation for skill and determination, but even more for clean playing, fairness and good sportsmanship; therefore, be it

Resolved, That the members of the House of Representatives congratulate the Jenkintown High School basketball team on their glorious and historic victories; and be it further

Resolved, That we congratulate the coach and teachers of these young men on their team, a group of fine young men with a fine understanding of the game and true sportsmanship; and be it further

Resolved, That a copy of this resolution be forwarded to the Principal of the Jenkintown High School, Jenkintown, Pennsylvania.

Referred to the Committee on Rules.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 19.

An Act to amend Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that rcords are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for operating privileges of persons serving in the armed forces of the United States or in women's organizations officially connected therewith and for the renewal of operators' licenses after honorable discharge.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 21.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons

associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County.

Referred to the Committee on Highways.

SENATE BILL No. 122.

An Act to amend the third paragraph of section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses.

Referred to the Committee on Fisheries.

SENATE BILL No. 201.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streetcars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the penalties for operating a motor vehicle trailer or semi-trailer that has not been inspected.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 282.

An Act to further amend Section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by limiting the use of tractors of the second class.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 285.

An Act to reenact and amend the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" by including witnesses appearing to testify before any coroner cororner's jury or inquest and providing for payment of fees.

Referred to the Committee on Counties.

SENATE BILL No. 357.

An Act to amend section three hundred four of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for additional complimentary hunting licenses.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 360.

An Act to further amend section two hundred forty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for additional complimentary fishing licenses.

Referred to the Committee on Fisheries.

SENATE BILL No. 391.

An Act to further amend subsection (e) of section 608 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing applicant and operators license requirements.

Referred to the Committee on Motor Vehicles.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence Nos. 6, 292, 299, 302, 323, 329, 341, 350 and 399.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 7.

An Act to further amend section two of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase of condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Townships to meet during the recess of the House.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a short recess for the purpose of holding a Committee meeting. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act to add Section 13.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing minimum allowances for certain beneficiaries and appropriations for the payment of the costs thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 194, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for mandatory revocation of hunting and trapping rights

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 343, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 626, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where information charging violations of summary provisions of said act may be brought

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 663, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles

tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by abolishing requirements for testing and approval of certain hitches and coupling devices abolishing certain fees

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act to amend section 1 of the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 620) entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate or interest in real estate unless a certificate is attached to said instruments giving the precise residene of the grantee or grantees named therein and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of real estate" by requiring the certificate of the grantees to contain their complete post office address

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 883, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon the owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by re-defining certain terms and eliminating and changing certain provisions relating to lighting equipment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 889, entitled:

An Act to amend section 1219 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of motor vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon the owners counties cities boroughs incorporated downs townships within the Commonwealth liability for damages imposing penalties imposing certain costs upon counties caused by the negligent operation of their motor vehicles providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the removal of wrecked and abandoned automobiles

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 893, entitled:

An Act to further amend clause 2 of subsection (b) and subsection (d) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the restrictions as to speed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act to further amend section 1004 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting driving on the wrong side of a divided highway

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1079, entitled:

An Act to amend Subsecton (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection,
Senate Bill No. 7, Printer's No. 13
Senate Bill No. 9, Printer's No. 16 and
Senate Bill No. 76, Printer's No. 36
were passed over at the request of the Speaker.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,
House Bill No. 120, Printer's No. 108
House Bill No. 908, Printer's No. 122 and
House Bill No. 909, Printer's No. 123
were passed over at the request of the Speaker.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,
House Bill No. 747, Printer's No. 91
House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96
House Bill No. 814, Printer's No. 97
House Bill No. 815, Printer's No. 98
House Bill No. 816, Printer's No. 99
House Bill No. 817, Printer's No. 100
House Bill No. 818, Printer's No. 101 and
House Bill No. 819, Printer's No. 102
were passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 885, as follows:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of registered surveyors not resident in the county to boards of viewers in counties of the eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be registered surveyors or members of the bar of the county except that in counties of the eighth class if no registered surveyors are resident in the county Resident surveyors not resident in the county may be appointed The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

The salary board of each county shall fix the compensation of the members of the board of viewers

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Granʼle E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolanklewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mrs. MARKLEY from the Committed on Townships, reported as amended, House Bill No. 383, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by giving townships additional powers in relation to streets, State highways, sewers, public squares and properties abutting thereon.

ADJOURNMENT IN MEMORIAM

Mr. HELM. It is with profound sorrow that I announce this morning the death of the mother of our Parliamentarian, Mrs. James Moore.

I move that this House do now adjourn until Monday, April 20, 1953, at 4:30 p. m., in memory of Mrs. James Moore.

The motion was agreed to and (at 11:34 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, APRIL 20, 1953. No. 29.

SENATE

MONDAY, April 20, 1953.

The Senate met at 4:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. C. HARRY KEHM, Pastor of Grace Evangelical and Reformed Church, Allentown, offered the following prayer:

Let us pray.

Eternal and everlasting God, our Heavenly Father, we invoke Thy blessing upon us, as we meet together in a spirit of humility and in a spirit of praise. Let Thy spirit of truth guide us in all our deliberations. Let the spirit of wisdom descend upon us, that those things which we might do here today may be done for the glory and the honor of this Commonwealth.

Forgive us when we err, and give us grateful hearts when we do the right thing in Thy sight. Unite us together, that this Commonwealth may be made a better place for those who follow us. We ask it in Jesus' Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. SNOWDEN, due to illness.

He also asked and obtained leave of absence for Mr. CROWE, due to illness.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 60, PRINTER'S No. 22

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 60, Printer's No. 22, entitled "An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' by deleting a route in Lancaster County."

JOHN S. FINE

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF STATE BOARD OF OSTEOPATHIC EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. John H. Warren, 920 North Sixty-third Street, Philadelphia, for appointment as a member of the State Board of Osteopathic Examiners, for the term of four years, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE

NOMINATIONS BY THE GOVERNOR
NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 20, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ADAMS COUNTY

Mrs. Madeyn S. Fortna, Gettysburg.

ALLEGHENY COUNTY

Miss Mary Bruno, Pittsburgh, 5425 Penn Ave.
Mrs. Hida Grove, Pittsburgh, 225 South St. Clair Street (6)
Miss V. Elaine Hall, Pittsburgh, 414 Grant St.
Herbert H. Kunde, Pittsburgh, 4400 Centre Avenue (13)
Regis J. Miller, Pittsburgh, 406 E. Ohio St.
James A. Mills, Wilkinsburg
Leslie Rankin, Penn Twp., Penn Hills, Pgh.
Miss Margaret A. Sankey, Whitehall, Pittsburgh
Mrs. Muriel Stembridge, Pittsburgh, 449 Fourth Ave.

BEAVER COUNTY

Jack Green, Monaca
Reese F. Maiden, Aliquippa

BLAIR COUNTY

James R. Capper, Altoona
John E. Criswell, Hollidaysburg

BUCKS COUNTY

Miss Marion V. Gallagher, Newtown
Miss Harriet M. Mims, Doylestown Twp., Doylestown
Edward R. Mountford, Morrisville

CAMBRIA COUNTY

Miss C. Ceneskie, Johnstown
Benj. Hinchman III, Johnstown
Mrs. Evelyn McDonald, Johnstown
Miss Dorothy I. Miller, Johnstown

CARBON COUNTY

Miss Mary B. Kreidler, Lehighton

COLUMBIA COUNTY

Mrs. M. G. Carr, Bloomsburg

DAUPHIN COUNTY

Charles P. McClane, Sr., Steelton

ERIE COUNTY

Clyde R. Lynch, North East
Mrs. Louise A. Skelton, Millcreek Twp., Erie

LACKAWANNA COUNTY

C. J. Alimena, Scranton
Daniel M. Kopcza, Scranton
Michael Munchak, Scranton

LUZERNE COUNTY

Richard A. Saul, Kingston

MONROE COUNTY

Mrs. Neta E. Talmage, Barrett Twp., Canadensis

MONTGOMERY COUNTY

Benjamin E. Derby, Norristown
Arling C. Rose, Whitemarsh Twp., Lafayette Hill

NORTHAMPTON COUNTY

Mrs. Reba C. Swallow, Northampton

PHILADELPHIA COUNTY

Edward N. Adourian, 3714 Walnut Street (4)
Mrs. Lena A. Cisco, Box 3882, 604 S. 2nd St. (46)
Mrs. Anne R. Fitzpatrick, 1744 S. 24th Street (45)
Joseph R. Iozzi, 757 S. Warnock Street (47)
Miss Mary G. Johnson, 128 W. Chelten Ave. (44)
A. C. Koebler, 26th & Parrish Sts. (30)
John McHugh, 4800 Baltimore Ave. (43)
Stanley S. Medley, 3855 N. Sydenham St. (40)
John A. Merlino, 2135 Wolf Street (45)
Mrs. E. Finch Morris, 1815 Christian Street (46)
Mrs. Valdreace H. Peterson, 1623 W. Oxford Street (21)
Mrs. Elizabeth K. Zuzyk, 2549 Carroll Street (42)

SCHUYLKILL COUNTY

Miss Mary C. Dauck, Ashland

SOMERSET COUNTY

Joseph Hordubay, Windber

WASHINGTON COUNTY

Mrs. Margaret V. Brownlee, Canton Twp., Washington

YORK COUNTY

Miss Marian W. Messinger, York
Mrs. Joyce D. Twigg, York

To compute from the dates set opposite their names

ALLEGHENY COUNTY

Edward P. Lawson, Pittsburgh, 450 Fourth Ave, (19) 4-21-53

PHILADELPHIA COUNTY

Niels W. Eich, 4640 Roosevelt Blvd. 4-24-53

DAUPHIN COUNTY

Mrs. Eva G. Lash, Hummelstown, 4-25-53

MONTGOMERY COUNTY

Stanley E. Robinson, Lansdale, 4-25-53

BERKS COUNTY

Miss Carmen T. Zocco, Reading, 4-26-53

LUZERNE COUNTY

S. N. Fiedelman, West Hazleton, 4-26-53

PHILADELPHIA COUNTY

Miss Beatrice Ennis, 401 Finance Bldg., 4-27-53
Warren H. Koch, 1608-20 Ludlow St., 4-27-53

JOHN S. FINE

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Dent,	Lane,	Pechan,	Watkins,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Wood,
Haluska,	Mallery,	Stevenson,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to make an announcement at this time.

There will be an air raid alert tomorrow afternoon at 2:35 p. m., which will last aproximately six minutes. All Members will leave the Hall by the rear stairway, adjacent to the Senate elevator, and go to the basement shelter area. The elevators will not be in operation during this period. The Sergeant-at-Arms will direct the Members.

BILL INTRODUCED AND REFERRED

Messrs. KESSLER and WADE read in place and presented to the Chair Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," by further regulating compulsory attendance of pupils.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, in common with most of the citizens of Pennsylvania and most members of this General Assembly, I am gravely concerned about the financial situation in which we now find ourselves.

If reports are correct, and I assume they are, the House of Representatives has reached a state of deadlock so far as a tax program is concerned. The Democrats, we are advised, oppose, as a unit, the passage of a sales tax, and the Republicans are divided and unable to muster a Constitutional majority to pass this proposed broad based tax.

In all humility, as a veteran member of this Legislature, I would like today to make an appeal to my fellow members in both Houses to make an earnest, sincere, nonpolitical effort to solve Pennsylvania's financial troubles and adjourn.

Mr. President, in general, I direct my appeal to all the Members of the House and Senate, but specifically I address myself to my colleagues, Senator Taylor, President pro-tempore, Senator Mahany, the Majority Leader, Senator Dent, the Minority Leader, and Representative Charles Smith, Speaker of the House, Majority Leader, Al Johnson and my old friend of long standing, Representative Hy Andrews, the Minority Leader of the House. These men, in my opinion, hold the fate of Pennsylvania in their hands. All Members of the House and the Senate hold these men in the very highest regard. Senator M. Harvey Taylor has had the honor of serving as President pro-tem of this body longer than any other man in history.

Senator Mahany was elected to the House of Representatives in 1942, re-elected in 1944 and is serving his second four-year term here in the Senate. The fact that we have elected him as our Majority Leader is ample evidence of the esteem in which Republican members of the Senate hold him. Senator Dent has been a Member of this Senate since 1936. He is the undisputed leader of the Democratic contingent of this body, a man of courage and integrity.

Over in the House, Charlie Smith has been a Member since 1944. He worked his way up to the leadership of the party in the House, and his career reached its temporary culmination this Session, when he was named Speaker. I know of no one in public life who is more respected and admired by his colleagues. The distinguished gentleman from McKean County, Representative Johnson, the Majority Leader of the House, has served since 1947, also with distinction and credit.

Hy Andrews was first elected to the House in 1933, and I had the honor of serving with him at that time. He has been the Minority Floor Leader for the last four terms. He probably exercises more influence with more Members than any other individual in the House. His wit and wisdom are appreciated by both Parties.

These men, all of them chosen to serve in positions of responsibility—more especially in days when old established courses are being changed, when many of our citizens are asking to have new courses charted, when mounting governmental costs are more than ever of deep concern to all the taxpayers, when State services are questioned by some, and demanded by others—are the ones we must look to for direction and decision, and we believe them to be sincere and devoted to the best interest of all people of Pennsylvania.

I ask these six gentlemen to closet themselves in a room somewhere, forget that they are Republicans or Democrats, forget that they don't entirely agree on budget figures, forget all about the last and the next political campaign, draw a tax program upon which all can agree.

Mr. President, I shall not rehash all that happened at our last Session of the Legislature, but I would like to remind the Members of the House and the Senate that we were in Session until Christmas and our activities reflected no credit upon us individually or our great State, nor its Government, nor its Legislative bodies.

Let us not go through that again. In singling out Messrs. Taylor, Mahany, Dent, Smith, Johnson and Andrews, I mean no reflection upon our other stalwart leaders in the House and Senate, Senator Berger, Senator Hare, Senator Ruth and many others.

I single them out because I sincerely believe that a small group could, within a period of twenty-four hours, settle all our problems, save our great Commonwealth from threatened financial breakdown and the utter confusion that would follow. As my humble personal contribution to their deliberations, may I suggest that there is absolutely no question that new taxes are necessary.

Four years ago, I stood here on the Floor of the Senate and voted against certain ambitious schemes which were approved by large majorities of my colleagues, both Republicans and Democrats. Huge appropriations were voted to cleanse our streams. I have been for clean streams for two decades, but everybody knows now that most of that money was spent on one river, the Schuylkill. A worthy project, no doubt, but what about the Susquehanna, the Allegheny, the Monongahela, the Juniata, and the Ohio and all the other rivers in this great Commonwealth.

Admiral Draemel will go down in history as a great conservationist, but what a fantastic proposition it was to

spend millions, contributed by all the taxpayers, toward cleaning up one single solitary river.

In other phases of the clean stream program, we have done well and our citizens are grateful and appreciative. Without huge expenditures, we stopped dumping industrial wastes, mine wastes, and sewage wastes into our streams to help restore nature's great outdoors as the ideal recreational spots they were originally, a laudable undertaking.

Mr. President, remember the Boys' Camp at Indiantown Gap? We borrowed that idea from some countries in Europe, who have not gotten along so well, and it cost a pretty penny, which we all wish were in the State Treasury today.

Again, I voted against the equally fantastic public housing dream, and I voted against the public authority bills, which were a device to get around the State's Constitutional debt limitations.

Mr. President, in our current budget we have almost $90,000,000 for debt service and authority rentals. However, I did vote for the increased cost of education, which, after all, is the big item in our present financial dilemma. I also voted for the soldiers' bonus, but I opposed, in committee and publicly, the shortsighted policy of paying out these huge sums of money without making any provision for raising that money in the only way it can be raised, by taxation.

Now, that's just so much history. Today, we are faced with paying off those obligations. I believe in people paying their debts, and I believe in governments paying their debts.

His Excellency, Governor John S. Fine, did not incur these obligations. When he was campaigning for election, he didn't even know what a pyramid of debts he was to inherit. His information, of course, came from people who thought that through some financial wizardry the money would appear out of thin air.

Let's face it. Governor Fine, in his message on January 22 to the Joint Session, told us some hard facts which all too many of us have either forgotten or disregarded. More than half of the entire General Fund Budget of $1,004,000,000 must be provided for education. Now, gentlemen, we can talk all we want to about economy and pruning and taking the fat out of the budget, and we are giving that the aggressive, diligent, careful, determined, positive attention it should have and will continue to get, but we still have to meet those 486 million dollars of State subsidies for education. There is no avoiding it. The people of Pennsylvania will not stand for reducing teachers' salaries, closing schools and depriving the children of Pennsylvania of their birthright.

Now, we arrive at what I believe to be our most momentous problem or decision, and it has been a much discussed and debated issue in recent weeks. The prepondering question is, "How much for education at the State level," and "How much at local or district level?" Taking from my mail the correspondence written by those directly affected, my guess is the rest of it will balance in the scales. None agree that all should be raised locally or State-wide. Leave letters from those directly affected in, and it is decidely in favor of raising money at the State level and in favor of any State tax measure suggested to provide the funds, but that's not too important.

I repeat, Mr. President, the youth of Pennsylvania, the citizens of tomorrow, must have top educational opportunities, and only a top educational system will give it to them. No second rate system will suffice to prepare them for the problems of our promising and interesting world, problems of international government, peaceful we all hope, problems brought on by civilization's greatest industrial, commercial, financial and scientific age and problems of atomic power and development. The best education and training is truly their birthright.

Some letters I receive question the "frills" in education, the large auditoriums and gymnasiums in new buildings; others the right of the State to participate in providing schools for those under six; others say, "money would be more judiciously spent by local districts if raised by local districts," while others say real estate is overburdened, and I agree.

May I remind you of three factors which have contributed heavily to this problem?

(1) The sharp increase in the number of young folks coming of school age.
(2) The necessity to keep teachers' salaries abreast of what they could earn elsewhere.
(3) The need for new buildings and equipment because of the increase in children, obsolete structures no longer safe or adequate and shifts in population or population increases.

The question of minor importance, therefore, Mr. President, after we determine that each tax dollar is judiciously spent is: "From what level shall the money come," and this discussion is now brought in after the last several Legislatures have, to say the least, adopted what many consider a questionable legislative practice by mandating future salaries and increments, and have produced a pattern of subsidies that, I repeat, pose a major State level financial problem.

I propose to introduce today a Joint Resolution to amend the Constitution, to the end that all receipts from any broad based tax which we may enact shall be returned to local school districts for educational purposes. I propose that even the cost of collection of new taxation for education shall be paid out of other State revenue. The bill now in the House provides that the proceeds be earmarked for education. Education can mean appropriations to the four State-aided universities, maintenance of schools for the deaf and dumb, appropriations to State Teachers' Colleges and many other contributions which the State makes.

Mr. President, the Joint Resolution I will introduce provides that all the proceeds be allocated direct to the school districts, in accordance with our subsidy obligations to them.

In his message to us last January, Governor Fine pointed out that the State now pays 42% of the total cost of our schools, and under existing legislation, which we so generously enacted without thought of who was going to pay the piper, there will be 22% increase during the next biennium.

I have it on reliable authority that the Federal Government, under the new Administration, plans some rather severe reductions in educational subsidies, such as for vocational training, and that means that even more than Governor Fine has recommended must be raised at either the State or local level, or the services eliminated.

About 30% of the entire General Fund Budget is for public health, assistance and welfare. Certainly, we want stricter supervision of public assistance grants all down the line, and we are going to get some economies in that direction, but those economies are "peanuts" compared with the entire budget, or even our State educational budget.

I am not a pessimist, but in recent days we have heard on the Floor of this Senate that business is bad in certain areas of our State and is getting no better fast. That means increases in public assistance. I predict that no matter how many economies are effected, you are going to have increases in some items of the budget, we always have had.

Every Member of the General Assembly is agreed that we must increase the pay of State employes. I personally am for a flat $250 a year raise for every employee receiving less than $5,000 a year, but I am also in favor of dropping every drone from the payroll, and I am informed we do have some drones. Governor Fine has already taken a step in the right direction by issuing orders against the personal use of State cars. I think that he might go even farther and insist that Capitol workers work five full days a week. The people of Pennsylvania will have a lot more faith and confidence in their State government if all the people on the State payroll work as hard and as long as the average worker outside.

As a result of the run around the General Assembly gave Governor Fine last Session on the flat income tax, he has declined to make any recommendations to this Session. I think, however, he owes it to the people to tell them, over and over again, how much of the tax money, which the State collects, goes back to local governments to provide the services they demand. I think he ought to tell the people that if new taxes are not forthcoming, the whole machinery of our State and local government is going to be in danger of collapse. Teachers will not teach if they are not paid. Hospitals will not care for the sick if the money is not forthcoming from somewhere. We cannot operate our mental institutions, or even our prisons, without cash for food, salaries and daily running expenses. I think, too, it is now time for His Excellency, Governor Fine, to use the standing and influence of his high office toward enacting a fiscal program to continue services properly expected by so many people from our Commonwealth.

Mr. President, we keep talking about increasing the number of State Police in order to cut down accidents, but we cannot even pay our present force a living wage unless money is forthcoming.

Now, I have heard that certain members of the Legislature are willing to go along with a 1% sales tax, but not 2%, and the insinuation is that if a 2% sales tax is passed, Governor Fine would have a surplus and money to add a lot of political people to the payrolls. This is errant nonsense. The Governor cannot spend anymore money than we appropriate unless he runs up deficiencies, and the Legislature can and has served notice here and now that it will not approve any deficiencies, and we should continue to make this amply clear and positive to every Department Head.

Governor Fine's Tax Study Committee reported to us that forty-two States have either a sales or an income tax, 19 have both and Pennsylvania has neither.

Mr. President, we have been spending millions of dollars through the Department of Commerce, which we voted to abolish, to attract business to this State. How can we expect business to gravitate to Pennsylvania when business taxes in Pennsylvania amount to 42%, some say 52%, of our State revenue, compared with 30% for New York, 15% for California and 11.6% for Illinois? Their manufactured products are sold in markets everywhere in direct competition with our own products.

This is enough of my personal views on the tax picture. I repeat my plea that Messrs. Taylor, Mahany, Dent, Smith, Johnson and Andrews get together on a nonpolitical, unbiased, sensible program which we can pass.

Mr. President, I am offering this bill for a Constitutional amendment, under which all the proceeds of any new broad based tax shall be returned to the local school districts to be expended for educational purposes exclusively, under existing subsidy practices and laws.

BILLS INTRODUCED AND REFERRED

Mr. WADE read in place and presented to the Chair Senate Bill No. 490, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by requiring payment of preceeds of general sales taxes to school districts for public school purposes.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. FREED read in his place and presented to the Chair Senate Bill No. 491, entitled:

An Act establishing the Pennsylvania Recreation Commission and its Advisory Council; determining its powers and duties; and making an appropriation.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, we listened to the learned Senator from Cumberland, Senator Wade, review some of the history of the Pennsylvania State Legislature and try to give the reasons for the present plight in which we find ourselves.

First of all, Mr. President, I want to rule out any possibility of my entering any closet or closed chamber, because I had the sad experience two years ago of trying to do that and I ended up being on the sorry end of a sad spectacle. Therefore, Mr. President, I do not intend to enter into any agreements, as much as I admire the gentlemen with whom he would like to closet me. I will be glad to go into a closet for social purposes, and maybe sit around and talk about the ball game, but when it comes to legislative action, I intend to do all my talking from this position.

Mr. President, in order that Senator Wade and the rest of the Senators may not be under any misapprehensions as to the duties and the proper place for the Minority to be in, I want to review also, without the benefit of having had time to prepare. I will depend a great deal upon my own memory and upon some facts which I believe are

fairly well imprinted upon the minds of the Members of this Senate who have been here over a few years.

First of all, Mr. President, let us go back. The Democratic Party came into power in 1935. I was privileged to be a member of that party, and a Member of that General Assembly. I think it was well put when someone said that we entered at a bad time, and left at a fairly good time. We came in the door when the cupboard was bare, and we left it pretty well provided. If you will all remember, and just close your eyes for a minute and allow me to take you back to the conditions in which we found ourselves in 1935.

Mr. President, we found at that time that business and industry were at a virtual standstill. We found that the farmers were burning their produce; farm mortgages were being foreclosed; millions and millions of people were unemployed and walking the streets; banks were closing every day; and farms were being sold. A great stream of American businessmen and bankers went down to Washington, and upon their hands and knees begged the Federal Government to do something about it, even, if necessary, to take over their businesses.

Mr. President, the Democratic Party at that time, under that great leader, Franklin D. Roosevelt, did something about it. The next one hundred days of that period became historical. The American people again took courage, and we started to make the hard climb back.

In 1935, Mr. President, in the midst of this depression, the Democratic Party took over in this great Commonwealth. What were we faced with? We were faced with thousands of unemployed. We were faced with the problem of creating new revenues in order to meet the emergencies of the day. At that time, in spite of all the protests and criticism, we passed the necessary tax legislation to feed the people of Pennsylvania who needed fed; to clothe the people of Pennsylvania who needed clothed; and to house those who needed housed. We had the courage, politically, to do so.

In 1938, Mr. President, with the help of a great deal of propaganda, the Democratic Party was turned out of office in this Commonwealth. They had the courage to pass the legislation to meet the demands of the day. What happened from then on?

In 1939, Governor James came into office, Mr. President. In spite of whatever criticism you may have of the little man from up in Luzerne, he did keep the so-called emergency taxes, although he had run on a platform to wipe them out. From 1938 until this day, every election campaign has heard the Republicans get out the huskings, and say that they would wipe out the unnecessary taxes in this Commonwealth.

Then, Mr. President, a man by the name of Martin came along. What was his first move? He came to the Senate of Pennsylvania with a proposition. We had approximately $48,000,000 worth of surplus moneys in the Commonwealth. He turned around and took the surplus moneys of this Commonwealth and paid off the debt of the General State Authority, against the advice of the Democratic Minority. We pointed out, at that time, that within the decade we would rue the day we took such unsound financial advice from the front office. Further than that, if you will remember, he also wiped out certain taxes which were placed on by the Earle Administration, under the stress of emergency.

Then came Governor Duff. What did Governor Duff do? Governor Duff immediately proposed to the General Assembly of Pennsylvania $144,000,000 in new taxes, and the General Assembly accepted the $144,000,000 worth of new taxes. Then, in the following Session of the Legislature, Governor Duff, again against the advice, and against the counsel and against the opposition of the Minority, passed a $500,000,000 soldiers' bonus bill. He passed the school subsidy plan which turned over to the future generations, and the future General Assemblies of Pennsylvania, the bill for paying such.

What happened to the Minority during that time, Mr. President? In 1949, against the advice of every known leader in the Democratic Party, I took the floor, with the complete confidence of the Democratic Members of the Senate, and stood before this microphone and offered to Governor Duff, at that time, a program for the payment of the bills of the Commonwealth, for the payment of the bonus and for the payment of the schoolteachers' subsidies. I offered, in the name of the Minority Party, a program which would have paid the bills as they came due, and not left to the future General Assemblies the obligations left by Governor Duff.

Mr. President, I have here in my brief case a copy of the speech made on this very floor, giving the details, giving the amounts of money which would be raised and showing exactly how that money was to be spent. Yet, not one Member of the Senate Majority would vote with us. We could not get Governor Duff to go along on the program because, as was pointed out by Senator Wade, it was an ambitious administration. They wanted to create in Pennsylvania the complete confidence of the people in their ability to do things without raising the necessary funds.

Mr. President, that as much criticism as has been heaped upon the Democratic Party in the past twenty years, they have never failed to have the courage to pass the necessary revenue measures to put into effect the programs which they gave to the people of the entire United States.

Now, Mr. President, we are faced with a dilemma; yes, we are. We are faced with a proposition. It seems that we cannot get through the House, or through the Senate, the necessary legislation to create the revenues. I am not going to stand before this group today and say to you that we do not need more money. However, I am going to say to you that it can be done without the passage of a sales tax or an income tax. It can be done by proper analyzation of the program in Pennsylvania, by proper analyzation of the cost of government in Pennsylvania. I do not say that the Chesterman Committee is correct in its analysis. I do say, though, that they have given us some ground from which to work.

Mr. President, I want to say, however, to the Members of this Senate, and to the Members of the General Assembly, we cannot duck the issue, we cannot pass it off to somebody else and we cannot do it, Senator Wade, by passing a constitutional revision measure which would take three years to pass, because during the three years we may die. We have got to pass it now. We must do whatever we are going to do at this Session of the Legislature, and we do not have to wait until Christmas to do it.

We, in the Minority, are willing to cooperate, Mr. President. We are willing to give you whatever advice we can,

and whatever counsel we can. We are willing to work, as we always have been willing to work, to the full benefit of the people of Pennsylvania as a whole, regardless of political affiliation. We know, probably better than you, that for some reason or another the people demand the services and do not want to pay. When you make them pay, they take it out on you on election day.

Mr. President, the time has come when we have got to have courage, the same courage we had during the Earle Administration, the same courage to pass in Pennsylvania emergency taxes to meet the need of the Commonwealth. I say to the Members of the General Assembly that what we need now is a group of taxes which will fall with the least heavy hand upon those who can pay the least, and, therefore, give to Pennsylvania an immediate program for paying its bills.

Then Mr. President, we should have a Constitutional Convention, and set up in that Constitutional Convention, in the new Constitution, the proper methods of creating the revenues to run this great Commonwealth. We are not a small, picayune political group. We are a great Commonwealth, and we are all proud to be members of it. We have got to have the courage to do those things which must be done in order that we can hold our heads up amongst the States.

Mr. President, I was in New York last week-end, and right in the New York Times, on the front page, they carried a large headlined article in which they stated that the schoolteachers of New York are asking that they pass, in the New York General Assembly, legislation allowing the State to set up so-called off track race betting, so-called bookie joints, in order to pay for education.

We have not reached that stage yet, Mr. President. However, there is one thing which you remember, that when you allow yourselves to keep getting in debt, without making the necessary provisions to pay off the debt, and to pay off the mortgage, you will eventually get to the point where you will not know what you are doing. Some people are suspicious that you have reached that stage at this moment. I do not join them. I think you know what you are doing, only you are slow about getting around to it. I would suggest a little haste. I would suggest that you get down and say to each other, "It is our ball, let us carry it over." We will not trip you too much. We will try to help you where we can. However, let us be honest about the thing and know that we have to face the situation.

Senator Wade, although you made a very fine talk, you should also have told the people of Pennsylvania what you are intending to do will take three years. If you want to do that, then join the Democrats in asking for a Constitutional Convention. If you are sincere in trying to get a solution to the problem before us, let us have the Constitutional Convention, and let us elect to that convention persons who have knowledge of the fundamental needs of this Commonwealth. Let us go into it and come out of it, so that next year when we meet again, or the year afterward when we meet again, Mr. President, we will have before us a vehicle upon which we can operate. We will have something which will give to the people of Pennsylvania the services they require, and have the taxes paid by those who can best pay.

Mr. President, I noted that the gentleman from Cumberland said that forty-two per cent of the taxes are paid by business. Now, Mr. President, ever since the beginning of time, every community of government has had to assess taxes to receive revenue from the sources available.

In Texas, they assess taxes against oil wells and cattle because they do not have any industry. Out in Nevada, they assess against cattle and gambling because they do not have any industries. We cannot assess gambling in Pennsylvania, and we cannot do very well on oil. We cannot do too much on cattle. We have to tax the sources of revenue available to us, regardless of what you call them. Out in the State of Washington, they tax apples. We have them, but we do not have them in proportion to the income of the Commonwealth, such as they have in proportion to their State. In Wisconsin, they tax cheese. You have to tax that particular item in your Commonwealth which can produce the revenue.

In this Commonwealth, Mr. President, we are an industrial State. Industry receives the benefit of the schools which we have in this Commonwealth. We train young men and young women so that they are better able to carrry on the duties of industry. We send into these mills, and into these shops and mines, well-educated young men and women who make it easier for them to operate their plants, and industry has yet to complain about paying part of the burden for the schools of the Commonwealth. Industry uses our roads; industry uses all of the facilities of this great State. So, industry must, of a necessity, pay.

Who is industry and what is industry, Mr. President? Industry is a means of employment, industry is a means of production, and we, ourselves, are industry. There are very few men within the hearing of my voice who do not own stock in some industrial or mining plant. They are industry. They are the ones who are paying the tax. They pay it through the creation of their industrial groups. When it comes down basically, you must realize that if industry is paying forty-two per cent of the taxes in Pennsylvania, by the laws of nature they are receiving at least forty-two per cent of the benefits.

Mr. President, I do not want to give you a tax program, because you would probably ignore it the same as Governor Duff ignored it. I want to say to all of you that we, as a group, in the Democratic Caucus, are not afraid to face the issues. We will face them, and when you can prove to us that this is the amount needed, the bare rock and the base rock need of the Commonwealth, you will not have any trouble on this side.

Mr. WADE. Mr. President—

The PRESIDENT. The Chair would like to remind the Senator that if he wishes to make a statement, he should make a request for unanimous consent.

INTERROGATION

Mr WADE. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr Dent, permit himself to be interrogated?

Mr. DENT. Yes, Mr. President.

Mr. WADE. May I, Mr. President, ask Senator Dent, after that very brilliant and widespread speech, during which there was a thread of cooperation which we all appreciate, whether he refused to sit in with a group to prepare a tax program? May I ask the gentleman if that is true?

Mr. DENT. Mr. President, I would answer that by saying that I had the sad experience of sitting in with a group. I do not want anymore of it; I have taken my share of that.

Mr. WADE. May I further, Mr. President, ask the gentleman if he recalls that during the administration which he mentioned, the Earle Administration, a Republican Senate then helped, or went along, with a financial program to help with the fiscal problems which the State then faced?

Mr. DENT. Mr. President, I do remember. I also remember, for the benefit of the gentleman from Cumberland, that the Democrats were in the minority, and the only way in which they could pass a bill was with Republican help. If you give us the thirty-two votes. we will pass your tax bill.

Mr. WADE. Mr. President, that is a very fair offer and I hope that the stenotypist got the figure correctly.

Now, Mr. President, may I further interrogate the gentleman and ask him,—and I am sure that he is well acquainted with the fiscal affairs of the Commonwealth, plus some figures regarding his own district—is it correct, Senator Dent, that the sum of $12,137,336 was returned in cash to your Senatorial District, which comprises Westmoreland County, during the current biennium?

Mr. DENT. In cash?

Mr. WADE. In cash.

Mr. DENT. For what purpose?

Mr. WADE. For school subsidies.

Mr. DENT. We only received our proportionate share, the same as your district.

Mr. WADE. That is correct, Mr. President.

Mr. DENT. Mr. President, I did not remember the last few pennies.

Mr. WADE. Mr. President, may I ask him further if the sum of $1,705,000 was returned in cash for public assistance, to his district?

Mr. DENT. Mr. President, I would imagine that would be right That would be our share, for our county.

Mr. WADE. Mr. President, the share of his Senatorial District for health examinations was $274,214.

Mr. DENT. Mr. President, I will admit "guilty" to all of those things and say I remember them, but what is the point?

Mr. WADE. Then, may I add, Mr. President, that the sum of $306,325 was returned from liquor fees for the purpose of police protection, and the sum of $250,200 was returned for the aid of his hospitals. The sum, in cash, of $1,538,795 was returned to the townships and boroughs for road purposes, out of the highway fund, or a total returned by the State of $14,673,075. In addition to that out of soldier bonus payments, not in this biennium but since the soldiers' bonus was passed, the sum of $11,148,974 was paid into his Senatorial District, of which we have repayments of principal in interest in the sum of $1,875,000 due in the next biennium.

In view of those figures, Mr. President, and I am trying to establish to my colleague, Senator Dent, and to others, that a great deal of this money is returned in cash to the districts. If we expect that to continue to be returned, regardless of what is done in Washington, or what was done in previous administrations in Pennsylvania, or what is done in Texas or anywhere else, it is the duty of every single Member of this Legislature, of both the House and the Senate, to join hands and work out a fiscal program.

Mr. President, I suggest to Senator Dent, as well as some of my colleagues on this side, because of his knowledge of fiscal affairs, and because of his leadership and because of his position with his delegation, that I think it is high time, if we are to avoid what happened two years ago, that we have cooperation, as good citizens and good Pennsylvanians, to work out a fiscal program.

May I, Mr. President, in conclusion, say that again I appreciate very much the fact that, in the statement of Senator Dent, he said that if we have thirty-two votes on this side, they will come forward with the other necessary votes.

Mr. DENT. Mr. President, it is a rather long question, but I will say "yes." I am not sure of the figures, but I think that in the light of the figures, you should read the figures from the other counties, too. I would not want anybody to get the idea that the Republican State Administration is subsidizing Westmoreland County. I think we are only receiving that share of State moneys which is distributed to the various county governments, and various activities of the counties, under the law of the Commonwealth.

Mr. President, I think that when Senator Wade read those figures, he should also have read to the Members of the Senate the amount paid in under the various taxes in the Commonwealth by the county of Westmoreland. I particularly liked that one item of $11,000,000 being paid to the soldiers in Westmoreland County by way of a bonus. It shows that we had one awful lot of soldiers in Westmoreland County.

REQUEST FOR PERMISSION TO ADDRESS SENATE

Mr. HOLLAND. Mr. President, I ask unanimous consent to make a brief statement at this time.

Mr. MAHANY. Mr. President, rather than put all of this under the heading of "Bills in Place," I wish it would be possible for us to present our bills at this time, and then when we get to the heading of "Petitions and Remonstrances," that, perhaps would be a good place for this type of discussion. I do not like to mix up our record with this type of discussion now. It certainly has no place under the present Order of Business.

The PRESIDENT. Well, the Chair feels compelled to rule the Majority Floor Leader's objection is well taken. If he wishes, the Senator from Allegheny, under the rules, could only make a brief statement. with unanimous consent, under the Order of Business of Bills in Place.

The Majority Floor Leader, I take it, is injecting or offering an objection. Therefore, the Chair is compelled to rule, under those facts, that the Senator from Allegheny is out of order.

Mr. MAHANY. Mr. President, I will be glad to go along with the gentleman when he wants to make a statement, when it comes to the proper Order of Business.

Mr. President, I have some statements which I would like to make, too, in connection with this discussion, but I am going to forego them until we get to the proper place in the Order of Business.

BILLS INTRODUCED AND REFERRED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 492, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by prescribing the manner in which pulpwood carried on certain vehicles and trailers shall be fastened.

Which was committed to the Committee on Highways.

Mr KEPHART read in his place and presented to the Chair Senate Bill No 493, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Which was committeed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 494, entitled:

An Act to further amend Section 26 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 1110), entitled "An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the finance thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making of financing such sales; prescribing penalties and repealing certain acts," by requiring the seller, upon sale of a repossessed vehicle to return the overplus to the buyer.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 495, entitled:

An Act to amend the act approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers or duties of the judges thereof, and appeals therefrom," by conferring on orphans' courts exclusive jurisdiction of all manner of proceedings affecting birth records.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 496, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure relating to incompetents' estates," by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 497, entitled:

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates.

Which was committed to the Committee on Judiciary General.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 498, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions,

and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Chiropody Examiners as a departmental administrative board in the Department of Public Instruction.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, the bill which I am about to present is the most important and the most interesting bill of the 1953 Session.

BILLS INTRODUCED AND REFERRED

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 499, entitled:

An Act providing for the licensing of cats in cities, boroughs and townships of the first class by the Secretary of Agriculture and imposing certain duties on the State Treasurer and other public officers.

Which was committed to the Committee on Education.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 500, entitled:

An Act to further amend section two thousand three hundred eighteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by conferring additional duties upon the Governor and the Department of Welfare.

Which was committed to the Committee on State Government.

STATEMENT BY THE CHAIR

The Chair is advised that this is also a famous bill. It is Bill No. 500, presented in the Senate during the Regular Session.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 501, entitled:

An Act to further amend Section 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursement from the Historical Preservation Fund.

Which was committed to the Committee on State Government.

Messrs. HOLLAND and DENT read in place and presented to the Chair Senate Bill No. 502, entitled:

An Act to add Section 438 to the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by permitting claimant to appear before the board or any referee, either with or without an attorney at law.

Which was committed to the Committee on Labor and Industry.

REPORT FROM COMMITTEE

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as committed Senate Bill No. 471, entitled:

An Act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto.

PETITIONS AND REMONSTRANCES

Mr. HOLLAND. Mr. President, I would like to make two observations. The first is that I have been here nineteen years in Harrisburg, and I have heard a lot of kickoff speeches for Governor. I must admit that the Senator from Cumberland has made a very convincing speech, that the Republican Party should select him as their candidate for Governor.

Mr. President, I also noted that even the press has already written on some of these cards, "Wade for Governor." He has the sign painters busy on his publicity.

Mr. President, I have noticed, too, this morning, and I was very glad, that the passing of the bill to abolish the Department of Commerce has accomplished at least one thing. It has, at least, brought to Harrisburg the Secretary of Commerce, who has been a Secretary in absentia since his appointment.

Mr. HALUSKA. Mr. President, I regret that I missed the speech made by my colleague from Cumberland County. I was out of the Chamber; I came in late. I was very much interested in what he had to say,—the part that I heard, at least.

I agree with him Mr. President, that we should think seriously of giving a raise to the State employees, and rightfully so. I agree that if we vote for appropriations, we have an obligation to vote for taxation. However, he knows full well that his party is in power, both in the House and in this Chamber, and they can pass any bill, any tax program they see fit, without the aid of any Democrats.

Mr. President, we do, however, have a responsibility. I, for one, will stay until Christmas before I will vote for a sales tax or an income tax, but I will vote for another tax program, realizing that we must raise more money. Just how much, I do not know. I would like my Republican colleagues to know that I will go on record now, rather than going into a huddle or a secret meeting, to inform them how I feel about a tax program.

Mr. President, I walk into an A & P Store, and I buy a pack of cigarettes for twenty-one cents, in my town. I walk across the street to get a pack of cigarettes in a vending machine, and its costs me a quarter. Who makes the four cents? If another penny is put on cigarettes, they will still be a quarter. I have smoked cigars all my life, and for some unknown reason we have never had the courage to place a tax on cigars and smoking tobaccos. Why not? Who is being protected?

Some years ago, Mr. President, I fought, and fought hard and long, opposing a tax on soft drinks, because we feared the five cent package would be broken. There is no five cent package today, Mr. President. I say if a two cent tax is placed on every bottle of pop, it will still be a dime.

Mr. President, it is easy to balance this budget with such items, and I stand ready, as one, to vote for such measures if there will be an increase for State employees, and if we maintain our position as stated on the State-aided hospitals, our boroughs and cities, our teaching profession. I shall vote for all the Earle nuisance taxes now adopted by the Republican Party, and I shall vote for some Republican nuisance taxes, as I mentioned here a few moments ago.

Mr. MAHANY. Mr. President, the trouble is, as was pointed out in one of the Pittsburgh papers yesterday, many of us voted for this package of appropriations in the past Sessions of the Legislature, which would rightly or wrongly increase the cost of education in the State of Pennsylvania, and now we seem to be too chicken to vote for the appropriate tax bills which would pay the bill for those appropriations.

Mr President, as we go through the State of Pennsylvania, we notice that Pennsylvania is building these large school buildings in the various communities jointures are being affected, and consolidations. Due to that fact, Mr. President, this State is having to pay its share of those school buildings, which is costing us considerable money now, and as the school buildings increase in number, it will cost us more in the future, because for the first time, through this authority setup, we are having to pay for this capital expenditure of school buildings. In addition to that, we have to pay for the increased teachers' salaries, the increments which have been mandated by this Legislature.

Also, in addition to that, Mr President, we have to pay a large cost of the transportation which is necessary in transporting those children from thier homes to these school buildings. It used to be, in the old days, Mr. President, when we had the one room school house, that little "Johnny" and "Sally" walked from their home to the school building, Today that is all changed, an now we have these modern buses to pick them up and take them to the school building. We also provide a school lunch program for them during the noon hour, and then when they get through, at the end of the day, we have the same buses come back, and pick them up and haul them back home. That, Mr. President, has cost this Commonwealth a great amount of money.

Mr. President, when I first came here in 1943, the budget for education was not one-half what it is now. I believe at that time our entire budget was not as much as what it is now for just the education item alone. If you take Education, Public Assistance and Health and Welfare, it makes up over eighty per cent of our budget. When you add on the cost of repaying the soldiers' bonus, and all those other items, we get about ninety per cent. There is just not much place to cut.

Mr. President, they talk about the Chesterman Committee recommendations. If we enacted them all, they would not begin to make up what we need in this biennium. There is no question that we can enact them all. I want to go into that later when I talk about Mr. Dilworth's crack about what we have done about the Chesterman Committee reports. Right now I want to say, Mr. President, that I believe it behooves all of us, both Republicans and Democrats alike, to find out what we can about the necessities for the budget, and then try to raise the money necessary in the way of taxation.

As was pointed out, Mr. President, when the Democrats came in here, when they found, as they said, the State in a muddle, and left it in a muldle, the Republicans helped them in their tax program. I believe at the time we had a sales tax, which was on the books for a temporary period, and the Republicans helped them out on that Then we came into good times and more money came in, and the Republicans helped to lop off, or the Republicans and the Democrats both lopped off, some of the taxes which were on the books, It is not necessarily so that once you put a tax on the books, it is going to be there forever. During my time in the Legislature, we have eliminated several of the taxes which were enacted by former Sessions of the Legislature.

Mr. President, I want to also mention in briefly the other article which I saw in the Pittsburgh press yesterday, which I thought was very good. It brought out the fact that unless you drink, or smoke or sell a little piece

of real esate, you do not pay very much in taxes to the State of Pennsylvania. When I get back home a lot of people say, "Oh, we are paying a lot of taxes." However, when you ask them what taxes they pay to the State of Pennsylvania, they cannot tell you very much about it. They just say, "Well, we know we pay a lot of taxes." When you pin them down, they bring out that they pay their income tax, or that they went to the city treasurer and paid tax to the city, or to the treasurer to pay taxes for the schools. As you go throughout the length and breadth of the United States, you will find many States which have had to resort to a broad base tax in order to finance their increased costs.

Mr. President, a very forthright statement was made the other day by a fellow who does not happen to belong to the same political party as mine, but he said that the spiral of inflation has contributed very largely to the high costs, and the increasing costs, of government. Who made that statement? None other than my friend, Mayor Lawrence, of Pittsburgh, at a meeting which I attended at the Cathedral of Learning last Thursday night.

Mr. President, you will find that it is not only Republican dominated Legislatures which need more money. You will find in the cities, in the city of Pittsburgh, in the City of Philadelphia, and these various places which do not happen to be controlled by Republicans, they have had to go out and increase their taxes, because their costs have increased immeasurably. We are in about the same fix. In order to get more funds, we are now considering a broad base tax. I think that sooner or later, we, like the other States in the Union, will have to pass some type of broad base tax so that all the people may have an opportunity to contribute toward the cost of education, public health and welfare, assistance and the other costs.

I want to mention briefly, Mr. President, about Mr. Dilworth, who hit town the other night and stated that neither political party has made an honest effort to carry out the provisions of the Chesterman Report. Mr. Presiden, if any particular report of any commission has ever been considered seriously and at length, I believe that the Chesterman Report has been so considered by this Legislature. It seems we have done nothing but talk about Mr. Chesterman and his report since we hit here last January. Of course, we cannot pass all these measures blindly. The other day, in the Senate, there was not one vote for a couple of those bills which were based on Mr. Chesterman's Report.

I find, Mr. President, on my desk today a little memo from the Pennsylvania Federation of Labor, in which they oppose Senate Bill No. 378 and Senate Bill No. 382, appearing on pages 11 and 12 of our Calendar, respectively. When I looked at those bills, lo and behold, they were "Dent and Mahany bill, by request," or the Chesterman Report. You cannot breath hot and cold. I do not suppose that Mr. Dilworth would oppose the recommendations of the Pennsylvania Federation of Labor, but here they oppose these bills which Mr. Dilworth feels we should be passing.

The other bill Mr. Dilworth refers to, Mr. President, is the one which would centralize the State institutions by making these boards advisory boards in the State institutions. He says that we acted on that with disfavor. I believe that is the bill which is on our third reading calendar today, and we are going to act on it.

Mr. President, I do not know why Mr. Dilworth, or anybody else, says that we have not given this report and its recommendations every consideration. I feel that we have. The Legislative Reference Bureau, and the Department of Justice, have done a big job in preparing these bills. Some of them run fifty and sixty pages long. I do not see, myself, how in the world the Legislative Reference Bureau did the work which they did in connection with these bills. They did a monumental work, and I think that this Session of the Legislature would be remiss if it did not pass some type of a resolution, specifically thanking them for the work which they have done on this.

Then, Mr. President, Mr. Dilworth hits public apathy, and says that the people are very little interested in the affairs of their State. I hope that the people's memory does not go back to the time when Mr. Dilworth had his turn at bat up here in Harrisburg, because I understand from the Attorney General, who was in power at that time, that Mr. Dilworth did not make any home runs; that he cost the State of Pennsylvania a good many thousands of dollars by his negligence in the way he conducted the office he was in at that time. If he wants the memories to go back, let us hope that they do not go back that far.

Mr. LANE. Mr. President, I sat here and listened to all this debate today, and it seems unusual that the Majority Leader should take such a peculiar interest in the statements made bya nonmember of the Senate. It would appear, to my way of thinking, that in all probability the Majority Leader has the thought in mind, that, perhaps, Mr. Dilworth might be the candidate for Governor.

Mr. President, I say that it is surprising to me that the Majority Party will admit, here in public, that they need additional revenue to balance the budget, because, if my memory serves me correctly, in the last gubernatorial campaign Republican spokesmen went throughout the width of this State and told the people they could balance the budget without any additional revenue. Here we are, and we find it just the reverse.

Mr. President, I think that if you look at the record, during the ten years I have been a Member of the Senate, I have voted for all sensible tax measures, because I believe if we vote for appropriations we must vote for taxes. However, I do say this to you here today. I cannot see the sense of enacting a broad base tax, either an income tax or a sales tax. As our Minority Floor Leader stated to you here today, we are opposed to it because this budget can be balanced without a broad base tax.

Mr. YOSKO. Mr. President, I just want to make a few comments on Senator Wade's appeal for assistance to get the Republican Majority out of the dilemma in which it finds itself.

Mr. President, as Senator Dent pointed out, at the end of the Earle Administration, the State Government was turned over to the Republican Party in excellent financial condition. The people of Pennsylvania, based on statements which were made by former Governor James, believed him and elected him Governor. He was here for four years. The promises he made during the campaign were broken. Another campaign came along, and we got more promises in Pennsylvania. This time we got these promises from former Governor Martin. When Governor Martin was about ready to leave the State Capitol, he

traveled the length and breadth of this Commonwealth, telling the people that he was leaving Harrisburg with a $200,000,000 surplus. You know, and I know, that the $200,000,000 surplus never existed, and was never found. Then we had another election, and this time the Republican Party went out and made more promises to the people, and the people were fooled again and they elected Governor Duff. Governor Duff, in turn, left the State Capitol and, in the words of Governor Fine, left him here holding the bag with a lot of debts.

Mr. President, I would suggest to Senator Wade that since all three former Governors are still alive, Governor James, Governor Martin and Governor Duff, who I understand is thinking about running again for Governor at the end of Governor Fine's term, he summon them into a conference, if that is posisble, and get the three of them to sit down and get them, who put the Commonwealth in the hole, to work out the problems which now face the Republican Party.

Mr. President, I understand that former Governor Martin is Chairman of the Public Works Committee in the United States Senate. A short time ago, just as he always does when he talks—he talks against loose spending, huge budgets and all that sort of thing—he made a statement to the effect that there is only one way in which you can reduce budgets, and that is by reduced expenditures. What applies in the Federal Government, applies in the State Government.

Therefore, Mr. President, the Majority Party has at its disposal some advisers of whom they could take advantage, if they can get them together. I would suggest that they do so. Get them here, and ask them to work out their tax problems and their budget problems and, perhaps, we can end this Session in short order and go home.

Mr. BARR. Mr. President, by way of correcting the Majority Floor Leader, I wish to tell him that he was in error when he said that the Democratic Party at one time, during the Earle Administration, had a sales tax. That is not a fact, and I would like the record to show that.

Mr. President, I would also like to call to the attention of Senator Mahany that at the last regular Session of the General Assembly, there were twenty Democrats here who voted for eight out of the ten taxes which were levied at the last binnium. We felt that for every appropriation bill that we voted, we voted for the tax. There was the realty transfer, the two per cent insurance premium tax, the increase in the inheritance, both direct and collateral, and the other taxes which were in that package. Never have we closed our eyes blindly, and said that we were for appropriation bills and against all tax bills. We are not that type of person; we never have been and we are not going to be at this time.

Mr. President, I would like to read one or two statements by "Mr. Republican," the Honorable Robert Taft. He has been "riding in all directions" lately. He wrote a magazine article, and he made a speech to the alumni at Yale and he views with alarm that the men in the news gallery are being somewhat critical. I was around Washington for twenty years, and I want Mr. Taft to know that our hides got pretty tough. We did not view with alarm; we were accustomed to that.

Again, Mr. President, I saw a speech where Senator Taft was rather critical of President Eisenhower because he placed so many businessmen in his Cabinet. He says, "Republicans have returned to power 'in utter darkness,' and he sideswipes Ike's cabinet and the rest of the industrial big shots that have taken up the Eisenhower burden in Washington, as men who have been eminently successful in business, 'but don't have a single day's experience running a federal government—the biggest institution the world has ever seen'."

Mr. President, I say it is about time that the Majority Party resolves itself into one party instead of so many splinters, and gives to the people of Pennsylvania a tax program, one of sense, one of direction and one which will meet their bills, and not a program with a pork barrel budget.

Mr. President, someone in their speech this afternoon—I think it was Senator Wade—said that they were cutting the drones and pruning the State payroll. I hate to go back to a subject that was mentioned twice before, but how can they be pruning the drones from the State payroll, when one week after the Supreme Court's decision, in regard to the Philadelphia Charter, they were able to create big, fat jobs for seven ward leaders who were forced to resign or get out of politics? That is not pruning the budget. That is not economy. That is the thing which has put the rather slanty eye at the Republican Administration, and the Republican General Assembly, who are in control here in Harrisburg as of A.D. 1953.

Mr. WALKER. Mr. President, I know that Senator Yosko will be very happy if we keep the record straight. I just want to point out to the gentleman that it is so seldom we get a Governor from Allegheny County, that we do not like to have misrepresentations in the record.

Mr. President, the gentleman from Northampton, Senator Yosko, suggested that at the conclusion of Governor Duff's Administration, he left with a deficit. I would like to call his attention to the budget, which shows that at the conclusion of Governor Duff's Administration, there was a very sizable surplus which was carried over into the next biennium.

I know that Senator Yosko will be happy to get those facts.

Mr. YOSKO. Mr. President, I am sure if Senator Walker checks with the stenographer, he will find that I said that Governor Duff, in the words of Governor Fine—Governor Fine said that he was left here with a lot of debts and obligations to be met.

Mr. WALKER. Mr. President, I did not want him to be confused by any statement which he might have heard.

PERMISSION TO ADDRESS SENATE

Mr. McCUSKER asked and obtained unanimous consent to address the Senate.

Mr McCUSKER. Mr. President, I would like to call the attention of the Members of the Senate that next Sunday there will be a change in the time in most of the counties throughout the Commonwealth to Daylight Saving Time. Here in the Capitol, we will be on Standard Time, however.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 20,1953.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 27, 1953, at three o'clock p. m., E. S. T.; and when the House of Representatives adjourns this week it reconvene on Monday, April 27, 1953, at three-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

FINAL PASSAGE CALENDAR

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 337, on final passage, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the amount of reimbursement by the Commonwealth to school districts and vocational school districts; and requiring the Department of Public Instruction to administer the financial affairs of financially handicapped and distressed school districts in certain cases.

be recommitted to the Committee on Education.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr, President,I ask unanimous consent that Senate Bill No. 35, on third reading, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by expanding the investment powers of State administrative departments, boards, commissions or officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 43, as follows:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for the general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the effective date of this act the council of any city of the first or second class shall have the authority by ordinance for general revenue purposes to levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such city of the first or second class as it shall determine except that such council shall not have authority to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject or occupation or on personal property which is now or may hereafter become subject to a State tax or license fee If subsequent to the passage of any ordinance under the authority of this act the General Assembly shall impose a tax or license fee on any privilege transaction subject or occupation or an personal property taxed by any city of the first or second class hereunder the act of Assembly imposing the State tax thereon shall automatically vacate the city ordinance passed under the authority of this act as to all taxes accruing subsequent to the effective date of the act imposing the State tax or license fee It is the intention of this section to confer upon cities of the first and second classes the power to levy assess and collect taxes upon any and all subjects of taxation which the Commonwealth has power to tax but which it does not now tax or license subject only to the foregoing provision that any tax upon a subject which the Commonwealth may hereafter tax or license shall automatically terminate upon the effective date of the State act imposing the new tax or license fee

On or after the thirty-first day of December one thousand nine hundred fifty-three it shall be unlawful for the council of any city of the first class to impose any wage income or occupation tax upon any person not a resident of such city All wage income and occupation taxes imposed by any city of the first class before the effective date of this amendment on persons who are not residents of such city are hereby discontinued and abolished after the thirty-first day of December one thousand nine hundred fifty-three in so far as they apply to non-residents of such city

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the pass finally?

Mr. SILVERT. Mr. President, this identical bill was presented to this Legislature in 1951, and was defeated. It attempts to exempt residents in the neighboring counties of Philadelphia, who work in Philadelphia and make their living in Philadelphia, and under the provisions of this bill they would be exempt from paying the Philadelphia income tax. In dollars and cents, the passage of this bill would mean a loss of $11,000,000 in revenue to the city of Philadelphia.

Mr. President, besides being embarrassing to the administration in Philadelphia, particularly because a tax recently imposed is now in litigation in our Supreme Court, this bill appears to be unfair because, on Page 4, it limits the applicability of this bill to Philadelphia County only. We know that in the State of Pennsylvania there are at least sixty to seventy communities who have

a similar tax, wherein they compel nonresidents to pay their income tax. Yet, we are faced in this Legislature with a special piece of legislation, a piece of legislation which would punish one county in the city of Philadelphia.

Mr. President, there is justice in this tax. This is a tax that nonresidents should pay along with residents, for this reason. We all know that they enjoy police protection; they enjoy all the city facilities; they make their living and take money out of the city of Philadelphia; and , to my mind, it is a just tax.

I have said this before, Mr. President, and I say it again to my friends in the neighboring counties. There are two ways of earning a living. One, if you are fortunate, to invest and make your living at investments, and the other is by manual labor. Let us take the one instance. A man residing in Delaware County may invest his money in an office building in the city of Philadelphia, and make his living through that venture. No one will get up and say that because he lives in Delaware County, he should not pay real estate taxes in the city of Philadelphia. No one would dare raise such a question. Yet, when it comes to the other way of earning a living, that is by work, we hear the complaint that they should not be taxed.

Mr. President and Members of this Senate, remember that you cannot punish one county and permit sixty to seventy other communities to do the very same thing that you are trying to do with this bill. I ask the Members of this Senate, who realize what it is to upset a budget, and you are plenty concerned about our budget in the State of Pennsylvania, to be fair, and not by a vote upset the budget in the city of Philadelphia. I ask you to vote against this bill.

Mr. WEINER. Mr. President, I concur heartily in my colleague's statement, Mr. Silvert, of Philadelphia County. I would like to point out to the Members of this body that if this $11,000,000 is taken away from the city of Philadelphia, we, as one of the large counties in the State, may have to come here and ask you to help solve part of our tax problem, which will put us back to where we were earlier today in discussing the larger tax problem for the whole State.

Mr. President, the people who live in and around the surrounding counties of Philadelphia enjoy all the services that the city offers to its residents. They are people who live in a large suburban area, enjoying some of the country life as well as deriving all of the benefits of the city. The close proximity of their homes to the city makes them, in a sense, citizens of the city, and as such they should pay, and help pay, for the services they are receiving from this large community.

Also, Mr. President, I believe, it should be pointed out that Philadelphia is the nerve center of the Delaware Valley. This area is growing larger and larger, and the community is spreading away from the city of Philadelphia, to the point where most of our citizens are living on the outskirts of the city and earning their livelihood in the city. Those who reap the benefits should bear some of the burden, and the burden is part of this tax program.

Mr. President, I ask the Members of this body to join with myself and my colleague, Senator Silvert, in voting against this bill, and helping the people of Philadelphia to continue on with the program which they have set up under this tax program and in keeping the city operating efficiently and giving good government.

Mr. President, I would just like to say in closing that I cannot feel this bill has been introduced, or has been motivated, along partisan lines. This tax was quite good, and had been in effect for quite some time under the former administration. I would feel badly to think that anyone felt, because the administration has changed in the city, we must now wipe out a tax structure which has aided the city over these many years.

Mr. WATKINS. Mr. President and gentlemen of the Senate, I felt as though today my Philadelphia Democratic colleagues would very probably not have the nerve to stand up and talk about this bill, after the way we discussed it in 1951. I can see that regardless of how long they have a chance to learn, they never take advantage of it.

Mr. President, in 1932 this tax was put on to help the Philadelphians out of a bad financial situation. As usual, any tax that is once applied always stays there. Certainly, today we do find Phialdelphia in a pretty bad mess. With the government they have there, I think it will be in a mess for a long while.

I would like to go back, Mr. President, in answering Senator Silvert, for whom I have very much respect, a very learned gentleman, indeed, but certainly he is not very learned in reference to this tax. He stands up and tells the Members of this Senate that it would take $11,000,000 away from the city of Philadelphia, and that this would be embarrassing to them now. I say to the gentleman, he should be embarrassed, for the simple reason that they have been stealing from the coffers of their adjoining counties now since 1932. I think it is high time that they start to find some way to relieve themselves of that embarrassment. I certainly know that he must be embarrassed.

Mr. President, in Philadelphia, I remember having to sit and look at my televison, and listen to the oratory. If I remember correctly, this great team, in the eyes of maybe some Democrats, but certainly not mine, this great team of Dilworth and Clark, when they campaigned in the city of Philadelphia, they said that they were going to cut taxes and that they were going to sweep the drones from the payrolls of Philadelphia.

I say to you, Mr. President, they have cut the taxes all right. They have raised the taxes $27,000,000 in the few years that they have been in, two years to be exact. They have put 3,000 drones on the payrolls. Now, how in the world can they ever face any embarrassment in taxing their neighbors with tactics like that going on?

Mr. President, this great Democratic team from Philadelphia, headed by those two gentlemen—and may I go on record, Mr. President, as saying that I have no fear of Mr. Dilworth ever being Governor of the State of Pensylvania? I respect the Democratic Party, and we must have it. The Minority Party, as they are today in Pennsylvania, is a great party. We must have the two party system. I know of a lot of Democrats that I know the people would take in preference to Mr. Dilworth. I am afraid that he has lied, and told the people too many fairy stories and he can no longer lull anyone to sleep. In fact, that was proved the other night when Joe McCarthy, for whom I am not batting either, lulled him to sleep on the elevision program. Let us not have any fear of the name of Dilworth being a great prospect for Gov-

ernor. That is impossible, absolutely impossible and unthinkable.

I, too, would like to call your attention, Mr. President, to the fact that the great Senator said that we enjoy heir police service in Philadelphia, and that we use all of their city facilities. I judge he means the lavatories, the drinking fountains and the very things that go along with human life, which people must have. That is true, we do go down their streets. It is true, we do go to their night clubs and pick up the checks; we do go to their dining rooms and pick up the checks; we do go to their theatres and pick up the check. We, of Delaware County, do come to Philadelphia.

I would like to say to the gentleman that we want to continue to come there. Mr. President, we like the "City of Brotherly Love." It is no privilege or pleasure to stand up here today and have to answer some of these things, which are asinine, in my opinion. It becomes hard for me to do it. I say that we want to continue to use the "City of Brotherly Love," but we do not want to be told about having police there. They are not just there for the people from Delaware County, or for the people from Montgomery County, or Bucks County or Chester County. They certainly must be there to catch some of those switch blade fellows that they have up there. They are not there to watch us. They would have them whether we came there or not.

I also say, Mr. President, that certainly they do not begrudge us a drink of water, and certainly they do not begrudge our paying a fee to the P. R. T. transportation line. They tell me it is defunct now; I do not know. They certainly should welcome our nickles to help along the situation.

Mr. President, I am just sick and tired, personally, of hearing these childish remarks made. They, too, say that we come to Philadelphia, and I agree with them. That is all agreed upon. I would like to say, Mr. President, there are 40,000 Philadelphians working in the county of Delaware, 40,000 of them. Mr. President, I would also like to say that we do not count our police, we do not worry about that. They drink our water and use our lavatories. They do all these things, and we want them to continue to do them. We want them to come down any time they can, when they are through working, and buy a little merchandise down in our Chester district or up in our Upper Darby district. We would love that. We want them to continue to do that.

Mr. President, do not let anyone try to convince anyone that they should vote against this bill because our people work in Philadelphia. In Delaware County, we only have such great manufacturing places, for instance, as Westinghouse, General Steel, Baldwin Locomotive Works, Scott Paper Company, Penn Steel Casting, Atlantic Steel Casting, Sun Ship, Sun Oil, Sinclair Refining and South Chester Tube. What is left in Philadelphia for any one to work? What places are left there? I do not know of too many places. Yes, they have office buildings there, and, God knows, the people do not get them for nothing. They pay the rent and they pay the taxes, too, if they hapen to own them. As far as a few people working there, that is just simply crazy, and I think we should stop considering it. I know that a lot of Democrats over there will not consider a tax like this.

I also would like to say this, Mr. President, that certainly it is a tax without a principle. It is not an emergency tax, it is not a fair tax. It is a tax without representation, and you can certainly realize that I do not want to go into that. I know that all of the gentlemen here know why we fought the British, they know why the Boston Tea Party was staged. I do not want to talk about that.

Certainly, Mr. President, it is a sickening situation. Session after Session we have to sit here and listen to this. They want to be so goodhearted, they want everybody to be so good to them. I ask you this. If the Philadelphia wage tax is so fair, where were the Philadelphia Democratic votes for the income tax in 1951? Where were their votes then? Why did they not feel sorry for the State of Pennsylvania, who had to pay the teachers, and take care of the hospitals and the necessary funds that we had to have? They are so goodhearted. It is hardhearted, in other words, the position that they have taken here, that they do not want to pay this tax. I say to you, it is just a lot of tomfoolery. It is simply a question which is really not debatable.

Mr. President, this thing of hollering "mercy," with a Democratic administration up there wasting millions of dollars, and doing nothing to cut the expenses in Philadelphia, and expecting their neighbors to pay it, I ask you gentlemen here to think about that. You have an administration up there now which has promised to do all those things. Economy, have they put in any economy? If so, I would like Senator Silvert, and the other gentleman, Senator Weiner, to tell me where the economies are, and to stand up and tell me whether they do not really feel ashamed of defending a tax like this.

Mr. President, I say to the gentlemen of the Senate, in all humility, I ask you to consider this, both on the Democratic side and on the Republican side. I am not making an attack upon the Democratic Party. I am making an attack upon a bunch of phonies in Philadelphia, that is what I am doing, and I do not take back anything which I have said.

Mr. President, I am fighting for this bill today because I campaigned and told my people that I would, and I have ever since I have been here. Certainly the Democratic administration cannot say that they have done anything to create economy in Philadelphia, on which they were elected to office.

I say that it is high time this body here recognizes and enforces a little economy, because, Mr. President, when the moneybag is gone in my business, the creditors generally move in. They want to know why I am not paying, so I try to run my business on the money that I have. It is time for them to create some economy, and keep their word to the people of Philadelphia and take this disgraceful tax away.

Mr. President, I would like to call something else to the attention of the gentlemen of the Senate. In 1951, I called to the attention of the Pennsylvania Federation of Labor that they had omitted, on this little slip that they put on your desks, telling you which bills they favor and which bills they oppose, the Philadelphia Wage Tax Bill. With all humility, they apologized. They said that they were sorry; they said it was an oversight.

Mr. President, I will not accept their apology today; it is not an oversight today. This wage tax bill has been on the Senate Calendar now for about ten days, in my opinion, maybe less, but certainly they have no excuse or

no reason at all for the omission today, these great defenders of labor who want everything that belongs to them, and more than what we sometimes think they can get. I want to call to your attention, Mr. President, that they, too, should have had this bill on here, as favoring it at this time. I want no apology now because it is no mistake.

Mr. President, this bill, Senate Bill No. 43, takes one and one-quarter cents out of every dollar that every working man, in these counties adjoining Philadelphia, earns. Certainly they are for the working man, and they now still say that they are satisfied for some people to dig into the pockets of the working man. However, that same labor group today is over in the House of Representatives, opposing the sales tax in the State of Pennsylvania. Not one vote out of ninety some Members can we get.

I say, Mr. President, if you are going to play fair, if you are not a phony, then call your shots as you see them. Certainly do not be one-sided with your shots. They have missed the boat again, as they always miss the boat when they want to.

In conclusion, Mr. President, I ask all of my colleagues on both sides to vote for this bill. When they vote for this bill, they will save the embarrassment in the future of our Senators from Philadelphia and the Members of the House, I hope.

Mr. KEPHART. Mr. President, I am opposed to this bill and I would like to state a few reasons why.

Mr. President, the good Senator from Delaware County stated that he has campaigned on this platform time and time again, and if we pass this bill, what is going to happen to his campaign platform. He will not have anything on which to go back to his people in Delaware County in order to get re-elected. I want to see him back in this Senate from here on in. I think that is one very good reason why we should not pass this bill.

In the second place, Mr. President, he said these people from Delaware County go to Philadelphia, and they go to our night clubs and to our theaters. They pay our amusement tax. Why do they not complain about that? There is no difference. They spend their nights going to our places of amusement, and do not object to paying our amusement tax. Why do they object to coming in, and earning their livelihood, and paying some small token on their livelihood which they earn in Philadelphia County?

Now, Mr. President, Philadelphia's tax structure is such that the main burden of taxation to support our Philadelphia government comes from real estate. This wage tax is a very small percentage of the total tax paid by the citizens of Philadelphia to support their government and to pay for the police protection, fire protection and all those things that Senator Watkins said do not amount to anything. We are not asking them to pay even a proportionate share of those expenses. We are paying more than seventy-five per cent of those by our real estate taxes. only about twenty-five per cent comes from the wage tax, and most of that comes from Philadelphians.

Mr. President, it seems to me that when these people from outside Philadelphia come in there and spend their working day, as compared to their pleasure day which they spend mostly outside of Philadelphia, and they sleep outside, they have their working residence in Philadelphia, it is only fair that they should pay some small pittance to help support the government of Philadelphia which protects them and gives them so many advantages.

Mr. President, in reply to one other thing which bothers be about this argument, every time we have it we hear the cry of "taxation without representation, is tyranny," and the Boston Tea Party, and everything connected therewith. Now, if the good Senator from Delaware will remember, the reason the Colonists complained was that they were having taxes imposed upon them from England, and they had no vote for the Representatives in Parliament, which imposed those taxes. In other words, if the city of Philadelphia would go out to Delaware County and impose a real estate tax on Delaware County real estate, on Delaware County sales or something like that, you might have taxation without representation and that would be tyranny.

We have no such thing here, Mr. President. They voluntarily come over to Philadelphia to earn their livelihood, and by so doing, they make themselves amenable to our laws. It is just like if Senator Watkins owned a piece of real estate in some other county or in some other State, he certainly would not complain that the real estate tax of that other State or county on him was taxation without representation. He would be very happy, and you would not hear a word out of him about that real estate tax. So, that "taxation without representation" argument is not quite accurate, and it is just a slogan that seems to fool some people.

Mr. President, by and large, this tax is a fair tax, and the nonresidents should be only too glad to pay that small amount to Philadelphia County, for all the services they get when they come into Philadelphia County, where they spend their working day. I would ask the Members of the Senate to vote this bill down.

Mr. SILVERT. Mr. President, first I want to thank Senator Kephart for being with us on this bill. It is my recollection that it is the first time we have had occasion to argue together on the same question.

Mr. President, Senator Watkins, for whom I also have a great deal of regard, made this statement. He said that the people and the government of Philadelphia have been stealing—that is the word he used—from the coffers of the people of Delaware County since the year of 1932. Of course, Senator Watkins, being a good Republican as he is, must realize, and I am not going to ask him to be interrogated because he well knows that from 1932 until 1951, his own Republican Party was in charge and in control of the city of Philadelphia. Some of them may resent being called theives and being accused of stealing from the people in Delaware County.

Mr. President, Senator Watkins also made a statement that economies have been promised by the administration in Philadelphia, and that he has not seen any. I might tell Senator Watkins that there are a number of departments in Philadelphia where he can go in and they will prove to him that there has been a reduction of at least ten per cent in personnel. The over-all employment picture may not have been reduced, that is true, but that is for one reason only. There is one department that the Republican Administration neglected in the city of Philadelphia, whether it was because it was nonpolitical or not, it was greatly under staffed, and that was the Health Department. The gain in the number of employees has been in a department that has been sadly neglected, to the detriment of the city of Philadelphia.

Mr. President, there is one other point. Senator Watkins apparently does not like Mr. Dilworth as a candidate for Governor. Again, I am not going to interrogate him, but I would like him to tell me privately, whom does Senator Watkins want the Democrats to run for Governor?

Mr. WEINER. Mr. President, I just want to answer Senator Watkins. Not to get away from the bill at hand, but one of the offices with which I am familiar, the District Attorney's office, cut the personnel from 106 to about eighty or eighty-two. I think that is somewhat of a saving, because most of the people employed there received a salary of about $4,000 and up.

I was also very happy, Mr. President, to hear that Senator Watkins has no fear of Mr. Dilworth being the Democratic candidate for Governor, because I know I will have no trouble then in voting for him and asking his constituents to do likewise.

Mr. President, Senator Watkins was worried about this matter being one of embarrassment. It is not one of embarrassment, but one of curtailment of services which people who live in Philadelphia, as well as those outside of the city, enjoy. He said that they were very happy, when they came into the city, to pick up the check and pay this tax. He did not tell you where they received the money with which to pick up that check. Now, if they received their money in the city of Philadelphia, and they come in and enjoy all the things which the city offers, I think they should be willing to bear some of that cost.

Mr. President, a great deal of time has been spent here on this large tax, and I think it should be pointed out to the gentlemen of this body that the tax is only one and one-half per cent, which is a small sum on a total wage or a total salary. I am happy to feel that the Sentor does not feel this is a personal matter, but one for the good of all.

Mr. President, not to delay action on this bill or this point any longer, I feel that the only thing which can be done is to vote this bill down, because it is a piece of class legislation, aimed at the city of Philadelphia. If we want to do the proper thing, and the correct thing, as statesmen, I think we should take all the cities to task which have this type of tax.

Mr. McCUSKER. Mr. President, I hate to prolong this discussion but, nevertheless, I feel I should go on record as saying I oppose this bill.

Mr. President, I do, however, want to point out to Senator Weiner that the reduction in the District Attorney's office, even though they are there, he has taken the police officers from the Department of Police and he has them in the District Attorney's office. That is no real reduction; it is just taking them from one payroll and putting them on—that is, they are not taxed against one payroll, but he uses the personnel from one payroll in the District Attorney's office.

Mr. DiSILVESTRO. Mr President, I wanted to remain silent, but I think I am forced to rise, too.

Mr. President, if you will look at the Journal of a few years ago, I said that I would vote against this bill reluctantly, because I believed that the Senator from Delaware—and let me congratulate you, your voice was in good tune today—had some merit to his discussion. My good colleague, who is a southern gentleman first and then a Senator,—you know, he was born below the Mason-Dixon Line, I believe—said that under this administration they have not done anything.

Mr. President, you know Philadelphia's economic Structure has been like a hunchback. It has had a hunch on its back for so many years, that you just cannot dispense with it in a couple of years. You must give Mayor Clark a little time to clean out some of those drones and reduce the expenditures. You must give them a chance.

Mr. President, today I was looking at the racing chart and I saw the notation, "Needs a Race." There was a horse that I really liked and the chart said, "Needs a Race," and, I will be darned, it came in. It did not need the race. You know, Mr. President, sometimes a horse must go around several times, and must be in three or four races before it really can come in. So, give Mayor Clark and the administration a chance to run around the track a little.

Mr. WATKNS. Mr. President, I am sorry my friend, Senator DiSilvestro, rose because he was the man I had in mind who would make a better Democratic candidate for Governor than Mr Dilworth.

Mr. LEADER. Mr. President, I would just like to say a word to the distinguished Senator from Delaware, for whom I have always had a very warm spot. I want to say to him that I think he was just a little below the belt today in some of his remarks with regard to the people in Philadelphia. I do not think it was in good taste, shall I say, perhaps, for him to call the leadership in the city of Philadelphia today, which happens to be Democratic at this time, a bunch of thieves and that they were corrupt.

I would not want to embarras anyone, Mr. President, and I do not want to go into the political organizations which have existed, and do exist, in Delaware County today. I think it would be in good taste, on his part, and I think it would help the good will between all of us here in the Senate, and in the two parties within the State, if he would make some sort of an apology to those gentleman in Philadelphia who are now administering the government of that great city.

Mr. WATKINS. Mr. President, instead of making an apology, I would like to double what I said, Any time any man campaigns for a political office, whether he be Democrat or whether he be Republican, and he does not fullfill his agreements to the people on which he campaigned, then he is a phony, or she is a phony, and that is exactly what happened in Philadelphia. They promised economies, and they raised taxes $27,000,000; they promised to fire the drones, and they hired them. Therefore, I am very sorry but I have no apologies to make.

Mr. LANE. Mr. President, the longer I serve in this Senate, the more convinced I am that it all depends on whose ox it being gored. You know I would not say to the Members of the Senate that the Republican administration in Harrisburg, which everyone knows is inept and inefficient, I would not say that because I think it is not in good taste.

I want to advise the distinguished Senator from Delaware County, Mr. President, that if he would have kept on talking, he would have lost my Democratic vote for this bill. As a matter of fact, in 1951, Mr. President, I think it was my vote that was the deciding, vote which brought that bill out of committee. I took the floor and supported that legislation, because I feel as he does in regard

to taxation, but I do not believe in wage taxes on nonresidents.

I do say this to the distinguished gentleman, Mr. President, that when he submits his arguments to the membership of the Senate, he should use good taste and aldress his remarks to the bill and not on personalities and administrators. We do not do those things on our side.

Mr. DENT. Mr. President, I am very sorry to hear the tone that this discussion has taken. I fully intend to vote for the bill, which is something unheard of probably, in the Senate, but it is a matter of principle. I also Voted against 481, which allowed some seventy-six odd communities in Pennsylvania to place this same type of tax on their residents. I do not want to refresh the memory of the Senate, but Senator Watkins voted for that bill. Senator, you may not know it, but you allowed my town to put a tax on the nonresidents of the city of Jeannette, and you voted for that. I thought maybe you should know that.

Mr. President, although I am sticking to a principle and am going to vote for this bill, because it does exactly what 481 does, my vote would do the same voting "aye" today as voting "no" then.

I am sorry, too, Mr. President, that Senator Watkins got into the question of personalities. I have been in a position to criticize the Republicans, because I am the leader of the Democrats, but at all times I have tried to refrain from going into personalities. If we listened to every street conversation, every man in politics is a drone, every man in politics is something that you would not want in your home, every man in politics is the sort of second or third class citizen. All we do when we join the street corner talker is help to create the impression that men who achieve public office are not fit to hold public office, or are not fit to be regular citizens of the Commonwealth.

Mr. President, in so far as Mr Dilworth is concerned, I do not think that anything in this bill has anything to do with his character. I do not know, the man has never lied to me; he has never said anything to me that he has not lived up to.

I do not know where you get your information, but from what I read in the papers, there are a great many persons who have campaigned on promises which they have not kept. The trouble we are in today is because you cannot keep your promises as a political party. You talk about why the Democrats should not vote against this bill, because they would not vote for an income tax in 1951. If memory serves me right, Senator Watkins, you were one of the ten counted against the bill in 1951 I would gladly vote against this bill today if I could salve my conscience, but I cannot do it. So long as I am a Member of this Senate, I will never vote for a flat tax on anyone. I will not vote for the taxation of any community against another one, regardless of what face or disguises it takes.

Mr. President, the problem here is between the members of the city delegation of Philadelphia, and I have allowed them to carry the burden of the argument both ways, for and against. The question they have now is the same as you are up against in Pennsylvania. If you take this tax from them, then you have to give them a substitute tax in its place.

Mr. President, if there is any danger of this bill passing, I want to issue a protest vote at this moment against taxation of another community's citizens, but if the vote comes to the point where one vote is needed, I will chanage my vote. I will do that and salve my conscience, because I would not deprive the citizens of Philadelphia of the needs of their community at this time, without giving them another piece of legislation to take its place. I would like to vote my conscience, but the time comes when necessity takes the place of logic. Logic is on your side, Senator Watkins; necessity is on the side of the other Senators. I think we should respect that, without getting into the position of calling each other names.

Mr. President, I do not know whether Mr. Dilworth will be a canidate for Governor or not. If he is the candiate for the Governor of the Democratic Party, I want you all to know that I will campaign for him. I will campaign for him as I will for any other Democrat, because I think the time has come for the Democrats to take this State and give it some good government, give it the kind of government it needs. In your own words, so well spoken so many times, "It is time for a change." It is time for a drastic change.

Mr. McGINNIS. I am sure that nearly everybody on this floor, Mr. President, has a theory that taxes should be levied where there is ability to pay. I have traveled through all of the counties surrounding Philadelphia, and I admire those communities. It seems to me that they are all estates, marvelous dwellings, with acres around their homes. They take their chauffers, and drive into Philadelphia and make their living to keep those estates up. I would say that if there is a bunch of taxpayers who have the ability to pay, it is in those counties surrounding Philadelphia, those who live there and own those estates. They do have some factories there, but very few compared to Allegheny County. They drive in Philadelphia and make their living and earn money, and I think they should be taxed.

And the question recurring,
Shall the bill pass finally?
(During the calling of the roll, the following occurred:)

VERIFICATION OF THE ROLL

Mr. YOSKO. Mr. President, I ask for a verification of the roll.

Mr. BARR. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Hare,	Mallery,	Wade,
Blass,	Harney,	McPherson, Jr.	Wagner,
Chapman,	Kessler,	Pechan,	Walker,
Dent,	Kopriver, Jr.	Peelor,	Watkins,
Diehm,	Lane,	Propert,	Watson,
Fleming,	Letzler,	Stevenson,	Wolfe,
Freed,	Madigan,	Taylor,	Wood,
Haluska,	Mahany,		

The PRESIDENT. Are there any corrections to the affirmative roll? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Leader,	McGinnis,	Stiefel,
Barr,	McCreesh,	Ruth,	Weiner,
DiSilvestro,	McCusker,	Silvert,	Yosko,
Kephart,			

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stands as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Berger,	Hare,	Mallery,	Wade,
Blass,	Harney,	McPherson, Jr.	Wagner,
Chapman,	Kessler,	Pechan,	Walker,
Dent,	Kopriver, Jr.	Peelor,	Watkins,
Diehm,	Lane,	Propert,	Watson,
Fleming,	Letzler,	Stevenson,	Wolfe,
Freed,	Madigan,	Taylor,	Wood,
Haluska,	Mahany,		

NAYS—13

Bane,	Leader,	McGinnis,	Stiefel,
Barr,	McCreesh,	Ruth,	Weiner,
DiSilvestro,	McCusker,	Silvert,	Yosko,
Kephart,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 57, on third reading, entitled:

An Act to amend Section 830 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the suject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by prescribing the manner in which logs carried on certain vehicles and trailers shall be securely fastened.

be recommitted to the Committee on Highways.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 86, on third reading, entitled:

An Act to further amend Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the rights of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by extending the purposes and powers of Authorities to include housing projects and authorizing the leasing and fixing of rentals in the operation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 117, on third reading, entitled:

An Act to amend section 608.1 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways; peace officers, mayors, burgeses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for physical examinations and certificates signifying passage thereof by school bus drivers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreebaly to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 389, entitled:

An Act to reenact and further amend portions of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutentant Governor, and certain other

executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the boards of trustees of State institutions in the Department of Welfare; creating an advisory board for each such institution; defining their powers and the powers and duties of the Department of Health and Welfare with respect thereto; and renaming the departmental administrative agencies in the Department of Health and Welfare and the State advisory boards and commissions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15

Bane,	Fleming,	Lane,	Stiefel,
Barr,	Haluska,	Leader,	Weiner,
Dent,	Holland,	McCreesh,	Yosko,
DiSilvestro,	Kessler,	Silvert,	

NAYS—28

Berger,	Kephart,	McGinnis,	Taylor,
Blass,	Kopriver, Jr.	McPherson, Jr.	Wade,
Chapman,	Letzler,	Pechan,	Wagner,
Diehm,	Madigan,	Peelor,	Walker,
Freed,	Mahany,	Propert,	Watkins,
Hare,	Mallery,	Ruth,	Wolfe,
Harney,	McCusker,	Stevenson,	Wood,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 408, as follows:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards Boards of Trustees of the Mothers' assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended in whole by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * * *

(m) To bring suit against the relatives responsible by law for the support or contribution to the support of any indigent person receiving assistance under the provisions of this act in accordance with the provisions of "The Support Law" or any other applicable laws of the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Bane,	Harney,	McCusker,	Taylor,
Barr,	Holland,	McGinnis,	Wade,
Berger,	Kephart,	McPherson, Jr.	Wagner,
Blass,	Kessler,	Pechan,	Walker,
Dent,	Kopriver, Jr.	Peelor,	Watkins,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Letzler,	Ruth,	Wolfe,
Fleming,	Madigan,	Silvert,	Wood,
Freed,	Mahany,	Stevenson,	Yosko,
Hare,	Mallery,	Stiefel,	

NAYS—5

Chapman,	Lane,	McCreesh,	Watson,
Haluska,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 409, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of

accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by requiring the Department of the Auditor General to make annual audits of the affairs of county boards of assistance.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 402), page 5, lines 7, 8, and 9, by striking out all of said lines.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 414, on third reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making the Banking Board, the Building and Loan Board, and the Consumer Credit Board departmental administrative boards in the Department of Banking; prescribing their powers and duties; and abolishing the Board to License Private Bankers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 415, on third reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Financial Institutions, transferring to it the powers and duties of the Department of Banking and the Insurance Department; providing for a Secretary of Financial Institutions; defining his powers and duties; abolishing the Department of Banking and the Insurance Department; conferring additional powers and imposing additional duties upon the Department of State.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 416, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XVII of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative

work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and othere executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof a new section to read as follows

Section 1711 Milk Sanitation The Department of Agriculture shall have the power and its duty shall be

(a) to enforce administer and carry out the provisions of the act approved the second of July one thousand nine hundred thrity-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties"

(b) To perform all duties and exercise all powers vested by such law or any other law in the Department of Health the Secretary of Health or the Advisory Health Board and relating to the protection of the purity and sanitation of milk for human consumption

Section 2 All powers and duties of the Department of Health the Secretary of Health and the Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption are hereby transferred to and hereafter shall be exercised by the Department of Agriculture and the Secretary of Agriculture

Section 3 This act shall not affect any rules regulations orders or permits issued action taken or contract made by the Department of Health Secretary of Health or Advisory Health Board prior to the effective date of this act Nor shall this act affect any pending action civil or criminal brought by or against the Department of Health or its officers but such action may be prosecuted or defended by the Secretary of Agriculture as if originally brought by or against him

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Dent,	Lane,	Pechan,	Watkins,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Wood,
Haluska,	Mallery,	Stevenson,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 421, entitled:

An Act to amend the title and the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 1898), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of Health; and repealing other laws," by changing the definitions of "Board" and "Department;" changing the name of the department responsible for the issuance of licenses; and transferring the State Board of Funeral Directors from the Department of Health to the Department of State.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of title, by striking out "State" and inserting: "Public Instruction"; amend Sec. 1 (title), page 3, line 4, by striking out "State" and inserting: "Public Instruction"; Amend Sec. 2 (Sec. 2), page 3, line 11, by striking out "State" and inserting: "Public Instruction"; Amend Sec. 2 (Sec. 2), page 3, line 14, by striking out "State" and inserting: "Public Instruction"; Amend Sec. 3 (Sec. 6), page 3, line 19, by striking out "State" and inserting: "Public Instruction"; Amend Sec. 4 (Sec. 19), page 4, line 12, by striking out "State" and inserting: "Public Instruction"; Amend Sec. 4 (Sec. 19), page 4, line 14, by inserting a bracket before the word "Secretary"; Amend Sec. 4 (Sec. 19), page 4, lines 14 and 15, by striking out "the Commonwealth" and inserting: "Superintendent of Public Instruction"; Amend Sec. 4 (Sec. 19), page 5, line 6, by inserting a bracket before the word "Secretary"; Amend Sec. 4 (Sec. 19), page 5, line 6, by striking out the bracket before the word "Health"; Amend Sec. 4 (Sec. 19), page 5, line 6, by striking out "the Commonwealth" and inserting: "Superintendent of Public Instruction"; Amend Sec. 4 (Sec. 19), page 5, line 10, by inserting a bracket before "Secretary"; Amend Sec. 4 (Sec. 19), page 5, line 10, by striking out the bracket before "Health"; Amend Sec. 4 (Sec. 19), page 5, line 10, by striking out "the Commonwealth" and inserting: "Superintendent of Public Instruction."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 743, as follows:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighteen hundred dollars or so much thereof as is necessary is hereby specifically appropriated to the Chief Clerk of the House of Representatives to be used by the Chief Clerk for the purpose of paying the balance of salaries due such deceased members to the wife or husband or legal representative of such deceased member in all cases in which the deceased member served part of his term of office and for which vacancy a successor has not been elected

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—47

Bane,	Harney,	McCusker,	Taylor,
Barr,	Holland,	McGinnis,	Toole,
Berger,	Kephart,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Walker,
Dent,	Lane,	Pechan,	Watkins,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Wood,
Haluska,	Mallery,	Stevenson,	Yosko,
Hare,	McCreesh,	Stiefel,	

NAYS—1

Chapman,

A majority of all the Senators having voted, "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 378 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Third Reading Postponed Calendar, Senate Bill No. 378, for consideration at this time.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 378, on third reading, entitled:

An Act discontinuing the Soldiers' and Sailors' Home at Erie, Pennsylvania; abolishing the board of trustees thereof; authorizing the use of the property for other State purposes or the sale thereof; and conferring powers and duties on certain State officers.

be recommitted to the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 47, entitled:

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 51, on second reading, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that House Bill No. 89, on second reading, entitled:

An Act to add subsection (d) to Section 1013 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerk therof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring vehicles, street cars and trackless trolley omnibuses to yield the right of way after stopping at an intersection marked with an official "Stop" sign.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 110, on second reading entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts, and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 215, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioner county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the administration of the fiscal affairs of the county institution districts regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property in trust and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 304, entitled:

An Act to further amend Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as last amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" by further regulating the licensing and conditions for transaction of such business.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 324, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr President, I ask unanimous consent that Senate Bill No. 325, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occuring under conditions for which said election code does not prescribe machinery

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 349, entitled:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

And said bill having been read at length the second time and agreed to,

Orlered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 419, on second reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Public Works; transferring to it all of the powers and duties of the Department of Highways, and the State Planning Board, all of the powers and duties of the Pennsylvania Aeronautics Commissions, except the inspection, regulation and licensing of airports, those powers and duties of the Department of Property and Supplies relating to the management and control, construction and repair of all buildings owned or leased by the Commonwealth, and those powers and duties of the Department of Internal Affairs relating to municipal and township development; transferring the Board of Commissioners of Public Grounds and Buildings, the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works; providing for a Secretary of Public Works; defining his powers and duties; abolishing the Department of Highways, the State Planning Board and the Pennsylvania Aeronautics Commission; reconstituting the State Planning Board and advisory board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies; and transferring appropriations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL DROPPED FROM CALENDAR

Mr. MAHANY. Mr. President, I move that Senate Bill No. 420, on second reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing within the framework of the executive and administrative branch of the government administrations, designating the heads of administrations and their powers and duties, establishing the office of Executive for Administration and defining his powers and duties.

be dropped from the Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P.

L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendent:

Amend Sec. 1, (Sec. 308), page 2, lines 14 and 15, by striking out all of line 14 and "usefulness of which shall be based on a five year period and (4)" in line 15.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

go over in its order.

The PRESIDENT. Is their objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 485, entitled:

An Act to amend the title and reenact and further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second Class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by incorporating all past amendments and authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 326 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Second Reading Postponed Calendar, Senate Bill No. 326, for consideration at this time.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 326, entitled:

An Act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class, singly or jointly; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain and operate public auditoriums; to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; empowering such Authorities to enter into contracts, leases, and licenses with and to accept grants from private sources, the Federal Government, State, political subdivisions of the State or any agency thereof; authorizing the making of said grants from bond funds or current revenues; authorizing Authorities to collect rentals, admissions, license fees for the use of the projects; exempting the property and securities of such Public Auditorium Authorities from taxation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, April 21, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. Taylor. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:09 o'clock p. m., Eastern Standard Time, until Tuesday, April 21, 1953, at 3:00 o'clock p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 20, 1953.

The House met at 4:30 p. m.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Reverend Austin Staley, guest chaplain, Priest of the order of Saint Benedict, from St. Vincent College, Latrobe, Pennsylvania, and guest of the gentleman from Westmoreland, Mr. Jim, offered the following prayer:

Our Father, Sovereign Lord, Divine Lawgiver, who hast engraved a code of conduct on the fleshy tablets of man's heart to conform to Thy divine plan for Man's concord and happiness, deign to impart Thy blessing upon these Representatives of Thy people, who here take pause to invoke Thy Holy Name.

Give them light and penetration to understand the needs of Thy people in terms of Thy master design; impart a share of Thy wisdom to arrive at just decisions; grant them conviction, and the courage to pursue that conviction.

Provident Lord, order the beginning, direct the progress, and perfect the outcome of their legislative effort, Thou Who are true God, source of all light and courage, who livest and reignest forever and ever. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, April 13, 1953? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, April 15, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, April 15 be postponed until the Journal is in print.

The motion was agreed to.

THANKS EXTENDED TO HOUSE

To the Members and Officers of the House of Representatives, Harrisburg, Pennsylvania.

Your kind expressions of sympathy in an hour of personal sorrow are indeed deeply apreciated.

Please accept our sincere thanks for the beautiful flowers and for the splendid tribute too, by the Members of the House to our Dear Mother at your session on Wednesday last.

Sincerely, S. Edward Moore and Family.

ANNOUNCEMENT

There will be an air raid alert on Tuesday afternoon at 2:35 p. m. which will last approximately 6 minutes. All members will leave the hall by the rear stairway adjacent to the House elevator and go to the basement shelter area. The elevators will not be in operation during this period.

The Sergeant-at-Arms will direct you.

BILL INTRODUCED AND REFERRED

By Mr. VAUGHAN. HOUSE BILL No. 1145.

An Act to amend the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties," by requiring the payment into the city treasury of fines, penalties and forfeitures collected in summary proceedings within the territorial limits of cities of the second class.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 6.

An Act to amend the act approved the nineteenth day of June, one thousand nine hundred thirteen (P. L. 534), entitled "An act relating to appointment of deputy constables," by defining the jurisdiction of deputy constables.

Referred to the Committee on Judiciary.

SENATE BILL No. 292.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact, requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance, fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies.

Referred to the Committee on Insurance.

SENATE BILL No. 299.

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

Referred to the Committee on Insurance.

SENATE BILL No. 302.

An Act to amend section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and

the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by enumerating certain types of vacancies occuring in the board of directors of insurance companies and providing for filling thereof.

Referred to the Committee on Insurance.

SENATE BILL No. 323.

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 329.

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare.

Referred to the Committee on State Government.

SENATE BILL No. 341.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act prohundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Health and Welfare; transferring to it the powers and duties of the Department of Health, Department of Welfare and Department of Public Assistance; providing for a Secretary of Health and Welfare; defining his powers and duties; and abolishing the Department of Health, the Department of Welfare and the Department of Public Assistance.

Referred to the Committee on State Government.

SENATE BILL No. 350.

An Act to further amend Section 20 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fishing in streams or canals not stocked with trout.

Referred to the Committee on Fisheries.

SENATE BILL No. 359.

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners.

Referred to the Committee on Counties.

SENATE BILL No. 399.

An Act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto.

Referred to the Committee on Counties.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 14 and 300.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 14, Printer's No. 2, entitled "An Act to repeal the act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1006) entitled 'An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey three contiguous parcels of land.'"

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 300, Printer's No. 29, entitled "An Act to further amend Section 5 of the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 565) entitled 'An act providing compensation to certain persons who served in the military or vaval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot pesronally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties'

by extending the time during which applications may be filed for veterans' compensation."

JOHN S. FINE.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 410, 411, 412, 422, 423, 424, 425, 426. 427 and 428.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Downey for Mr. WHITENIGHT for today's session only.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 383, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 83, entitled:

An Act to add Section 13.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing minimum allowances for certain beneficiaries and appropriations for the payment of the costs thereof

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 194, entitled

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for mandatory revocation of hunting and trapping rights

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provisions for the taxation of private forest reserves

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 343, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 626, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where informations charging violations of summary provisions of said act may be brought

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 663, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L.

905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by abolishing re-requirements for testing and aproval of certain hitches and coupling devices abolishing certain fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 688, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 823, entitled:

An Act to amend section 1 of the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 620) entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate or interest in real estate unless a certificate is attached to said instruments giving the precise residence of the grantee or grantees named therein and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of real estate" by requiring the certificate of the grantees to contain their complete post office address.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 883, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 889, entitled:

An Act to amend Section 1219 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposi-

tion of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the removal of wrecked and abandoned automobiles

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 893, entitled:

An Act to further amend clause 2 of subsection (b) and subsection (d) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the restrictions as to speed

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to further amend section 1004 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting driving on the wrong side of a divided highway

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

An said bill having been read at length the second time and agreed to,

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1079, entitled:

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 7, Printer's No. 13,
Senate Bill No. 9, Printer's No. 16 and
Senate Bill No. 76, Printer's No. 36

were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 120, Printer's No. 108.
House Bill No. 908, Printer's No. 122 and
House Bill No. 909, Printer's No. 128

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 747, Printer's No. 91
House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96

House Bill No. 814, Printer's No. 97
House Bill No. 815, Printer's No. 98
House Bill No. 816, Printer's No. 99
House Bill No. 817, Printer's No. 100
House Bill No. 818, Printer's No. 101 and
House Bill No. 819, Printer's No. 102

were passed over at the request of the SPEAKER.

HOUSE BILL No. 660 TAKEN FROM TABLE

Mr. LIPPINCOTT. Mr. Speaker, I move that House Bill No. 660, Printer's No. 66, entitled:

An Act requiring that copies of bills introduced in the General Assembly be punctuated

be taken from the table.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. LIPPINCOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SEYLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware, Mr. Lippincott vote on third reading of this bill?

Mr. LIPPINCOTT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from York, Mr. Seyler vote on third reading of this bill?

Mr. SEYLER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, page 1, line 2, by inserting after the word "introduced" "The Secretary of the Commonwealth shall not, after any bill has been finally enacted into law, make any changes in punctuation therein, if such correction or change would in any manner affect or change the meaning, intent or substance of such law."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate the sponsor of this amendment, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, under this amendment will the present provision of the Statutory Construction Act, providing that the punctuation of a law shall not control or affect the intention of the Legislature, remain unchanged?

Mr. READINGER. Mr. Speaker, it will.

Mr. LIPPINCOTT. Mr. Speaker, under this amendment will the Secretary of the Commonwealth still punctuate finally laws passed and aproved?

Mr. READINGER. Mr. Speaker, under this amendment and the bill as it is now before the House, he will have the power to punctuate finally bills which we have passed provided he does not change the meaning.

Mr. LIPPINCOTT. Mr. Speaker, in the event a bill is introduced containing obviously improper punctuation, or no punctuation, under this amendment could the Secretary of the Commonwealth insert the correct punctuation?

Mr. READINGER. Mr. Speaker, he could and he should.

Mr. LIPPINCOTT. Mr. Speaker, I would like to state that I have no objection to this amendment as interpreted by the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker, I would like to thank the gentleman from Delaware for agreeing to this amendment and for stating that he has no objection to it. I would like the Members of the House today to put a big exclamation point after this bill by passing it unanimously.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. Speaker, is it the intention of the majority party to report legislation that would place state employes under Social Security?

Mr. JOHNSON. Mr. Speaker, in answer to that question, recently the Minority Leader asked that particular question as to social security for a number of state workers presently not covered by the act. I have contacted the Executive Director of the Bureau of Social Security for Public Employes, and his communication to me in part reads as follows:

> "The Federal Social Security Law excludes from coverage those positions which are covered by a retirement system established by the state or its political subdivisions. Section 218 (d) of that law provides:
>
> No agreement with any state may be made applicable (either in the original agreement or by any modification thereof) to any service performed by employes as members of any coverage group in positions covered by a retirement system on the date such agreement is made applicable to such coverage group:
>
> "Since the Commonwealth of Pennsylvania has a retirement system, the positions within that system are barred from coverage under the Federal program by provisions of Section 218 (d)—which I have just read.

Mr. Jamieson goes on to say:

> . . . Unless and until Congress amends the law to permit dual or integrated coverage, state employes, whose jobs are covered by the state system, cannot qualify for the benefits of the Federal program. There are, however, a number of bills pending in Congress to amend the section and the probabilities are that one of them will be enacted at this session of Congress.

I might say, Mr. Speaker, that I asked Mr. Jamieson the question under what circumstances could a state em-

ployе not eligible under the state retirement system come under the federal law. He said he knew of no plan. The reason is that if this particular person were to resign from state employment, a new person would be appointed to his job and this particular person would be eligible for coverage by the state retirement system. The federal government by regulation has said that by reason of the fact that the job was one that could be covered by the state system, under no circumstances could it be covered under the federal system. He expects that it is quite likely that Congress will remedy that situation at this session of the National Congress.

Mr. ANDREWS. Mr. Speaker, would it be practical to enact legislation contingent upon the enactment of the proper federal legislation?

Mr. JOHNSON. Mr. Speaker, in answer to that question, I would say that that would not be at all out of order.

Mr. ANDREWS. Mr. Speaker, I would suggest, first, that the Majority Leader give consideration to such a plan. Second, is it the intention of the majority leadership to report legislation enabling cities to enact rent control legislation, an enabling act contingent upon the decision of the cities themselves?

Mr. JOHNSON. Mr. Speaker, I have no opinion on that at the present time. There has been some discussion of it, but no decision has been made. I hope to give you a decision on that soon.

Mr. ANDREWS. Mr. Speaker, I would call the Majority Leader's attention to the fact that time is running against us and that a decision upon this type of legislation is essential immediately. If we are to enact such legislation, it certainly should be started on its way before May 1st. We are therefore suggesting that an enabling act be reported which will save us the trouble of getting a record vote by means of an attempt to discharge the committee.

How soon does the Majority Leader think such a bill will be reported to the floor?

Mr. JOHNSON. Mr. Speaker, I cannot say right now but I will give you the answer soon, possibly before we adjourn this week.

Mr. ANDREWS. Mr. Speaker, can the Majority Leader inform the House as to when we will be prepared to relinquish custody of the FEPC bill and submit it for the consideration of the House?

Mr. JOHNSON. Mr. Speaker, I might say that at the last session the Minority Leader spoke about the then Majority Leader's mausoleum down in the office. Well, the FEPC bill is not in my mausoleum. It has been introduced.

Mr. ANDREWS. Mr. Speaker, on behalf of the minority and on behalf of the majority, I congratulate the Majority Leader upon his righteous and, I have no doubt, courageous decision.

I can assure him that when the bill comes up for final passage, if there are 90 Members of the minority on the floor, there will be 90 Members voting for it; if there are 95 Members on this side of the House when the bill comes up for final passage it will get 95 votes; and if there are 98 present on this side of the House when the bill comes up for final passage, it will get 98 votes. So I charge the Majority Leader with the task of coming to the front with at least 20 votes, in which event the bill will be triumphantly passed in the House and committed to the tender mercies of the Senate.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

The minority group in this House has from the first been in disagreement with the formula that has governed action, or rather that has produced in action up to this time.

We have been considering and reconsidering fiscal legislation. We have been in doubt as to whether or not we are going to raise $140 million by means of a particular tax, or whether we are going to raise $280 million. While we have been talking about all of these vast sums we have had no appropriation objective. There has been no clear statement concerning the maximum needs of the Commonwealth which this House is prepared, as a matter of common sense and of honor, to finance. I suggest that what we need is a clear expression of our financial objective.

It is the function of the Appropriations Committee to screen the requests of the various departments, to reduce them to a minimum. It is the function of the Appropriations Committee to consider the supplemental appropriations, and it is the function of the Appropriations Committee to arrive at a definite figure. We are going to raise for General Fund purposes $860 million, $880 million—a definite objective fixed finally and announced to the Commonwealth that that is the money that is going to be needed. And then when we have determined and when we have provided for the essential services of the Commonwealth, then it is time to sit down and find out how we are going to finance.

There are certain taxes upon which there will be general agreement, certain taxes, perhaps, concerning which there will be pronounced disagreement, but at least we will be able to narrow the margin of disagreement and know whether we are in disagreement about $157 million, whether we are in disagreement about $100 million, or whether, as I suspect, when the needs of the Commonwealth have been properly scanned, we willl only be in disagreement concerning approximately $60 million. I say to you that we cannot proceed intelligently until we have in mind our maximum financial objective, and I rather suspect that until we adopt some such procedure that the present stalemate is likely to continue.

PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, browsing through a magazine stand several weeks ago I was jarred by the gruesome cover on a comic book. The contents of this colored pulp story book were so shocking I felt I had to tell you about it.

Your children can buy a nightmare for a dime. Terror for tots is big business. The Frankensteins who produce this stuff that bad dreams are made of blossom opulent on the intense curiosity and deep impressionability of the young. Tales from Twain are passe. Tales from the Crypt are sell-outs. The recipe is simple. Take the hollow face of a zombie and mix well with ghouls, shrunken heads and decomposed bodies. The bigger the portion—the better the dish.

The April-May cover of "Tales from the Crypt" features a rather shabby coffin-filled vault. A young man wearing an expression of violent dread is shown clawing at the steel door while watching a partly decomposed body

draped in tattered clothing rise up from one of the wooden boxes. His nose is rotted off, eyes eaten out, part of an ear is gone, his skin hangs casually over rotted teeth yet somehow he manages to leer at the reader. By way of explanation the terrified youth at the crypt door is fed this line, "Locked . . . with . . . with this thing!" Comic? Let's turn the page.

This is the mood page to prepare you for your adventure in horror. It is clobbered with comic characters . . . a clumsily wrapped mummy, a cute, green monster with one eye and two pointed teeth, a wild-eyed ape, a few formless ghosts, a shriveled head, a dozing bat hanging head downward apparently bored with it all, and your hostess, the Crypt Keeper definitely not the twin with the toni. She speaks, "Welcome, dear friends! Come into the Crypt of terror. I see it is time to tell you another of my spine-tingling horror stories. This one is sure to freeze the blood in your veins . . . guaranteed to make shivers run up and down your crawling spine. This adventure into terror . . . this chilling ordeal is about to happen to you. You are the main character. Get a good grip on yourself."

The first story titled "Reflection of Death" talks directly and personally to the wide-eyed juvenile devotees. You are driving down the highway with a friend. There is an accident. You awaken and find yourself lying at the edge of a road. There is no sign of a wreck . . . just road reaching into the night. A car passes . . . you put your hand up to stop it . . . step up to the driver and see a look of stark terror in his eyes. He shrieks and drives away. You pass a hobo huddled near a fire. He smiles and invites you to some stews. You move into the firelight, the blood drains from his face . . . he runs screaming into the night. You come across a paper dated two months from the accident. It's impossible you think. You were driving home from a New Year's Eve party. It can't be the 26th of February. You reach your home. It is boarded up. You go to your friend's house who was with you when the accident happened. You tell him your story . . . how people screamed when they saw you but he had not. He is blind. He doesn't believe you . . . says you were killed . . . horribly mangled . . . You're dead . . . you stagger towards a mirror . . . you see a face almost completely rotted away. To quote again from this pretty prose "you scream. You open your rotted, torn, decomposed mouth and scream." The story continues through two additional pages of nauseous nightmares and once again your drooling hostess rises to greet you. "Like being a corpse, kiddies. Well, you might as well get used to it. It's bound to happen. Maybe you'll know it's coming by having a dream like the one in this story. If you do, you'll have something to look forward to."

PARLIMENTARY INQUIRY

Mr. READINGER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. READINGER. Mr. Speaker, admitting the gentleman's right to talk us to death, I question whether he has the right to scare us to death.

Mr. SPEAKER. The genleman's point is well taken. The gentleman will proceed, and not be so scary.

Mr. MORAN. Mr. Speaker, the fascinated little readers are then turned over to The Old Witch for a terrifying tale which she calls, "Last Respects." Briefly, this is the story of an heiress and her chauffeur. They are secretly married. Her scrooge uncle whom she lives with discovers her secret while she is delirious with pneumonia. He refuses to let her husband see her. She dies and is taken to a vault where her chauffeur husband comes to pay his last respects and to mutter over her casket that he has killed her uncle. A storm comes up and blows the door to the vault shut. He's trapped in the mausoleum. Days . . . then weeks pass. His knocking and shouting grows weaker. A month later the door is opened by an attendant who finds him recently dead. The coffin had been pried open. Bones are scattered on the floor. He had stayed alive for almost a month by catching water in an urn and eating his wife. He had died of embalming fluid poisoning. "They took him away. They put the white picked-clean bones back into the coffin and sealed it up again." The witch fades out with this bit of comment, "It was a meaty little tale wasn't it? They all killed each other so to speak. I hope you didn't . . . er . . . choke up at the sad ending. If your stomach's doing flip-flops I'll turn you back to the crypt Keeper. He has another tale for you to chew on."

This comic book is published by Educational Comic's Inc., New York City. A small seal on the upper lefthand corner of the cover stamps it as "an entertaining comic." The seal on the right is marked "conforms to the comics code. Authorized by A. C. M. P." The inside cover asks the reader to look for this seal. "This seal is used by the Association of Comics Magazine Publishers which believes in decency and good taste," They continue by stating they believe in self regulation. They say if you want the best comic magazines, always look for the seal because it is your guarantee of quality and entertainment. "Only the best comics carry the seal."

"The Association is constantly working to give you better entertainment and more information about the world we live in. It works with Parent-Teachers Associations, educational groups, women's clubs, religious organizations of every faith. Show this advertisement to your parents so they too will understand what the better comic magazine publishers are doing to raise standards."

What are they doing if they continue to publish these morbid tales? What are we doing to stop them? Your children are the victims of this terror form of comic lurking behind a code of "decency" and "good taste."

Ten cents is too big a price for your children to pay for frightful dreams, extreme fear, nervous disorders. The state legislature has the power to ban these dime monsters. You have the power to make them.

The publishers of these fright funnies are getting away with murder—the cold blooded premeditated murder of a child's peace of mind.

Mr. Speaker, on March 3, 1953, I introduced in this House of Representatives the following resolution:

In the House of Representatives, March 3, 1953.

The comic book available on the newsstand and at the magazine counter designed primarily for juvenile consumption and purchased largely by its intended market is a comparatively recent venture in the publishing world

While many comic books provide wholesome reading for children and while the contents of many others are harmless there is a type of publication masquerading as a "comic" book the subject matter

of which is lurid gruesome fear-inspiring and morbid to say the least

This type of "comic" book purports to be published subject to the publishers' self-imposed code of decency If these standards are exemplified by the type of publication put on the market week after week are the best publishers can arrive at it is incumbent upon the Legislature to investigate the need for establishing standards of decency adequate to protect the impressionable minds of our children now therefore be it

Resolved That the Joint State Government Commission is hereby directed to make a study of comic books available for sale to children in this Commonwealth and to investigate their contents particularly with reference to the gruesome morbid type hereinbefore referred to After completing such study it shall make such recommendations as it deems necessary with respect to the establishment of standards commensurate with the proper education and protection of the impressionable minds of our children together with accompanying drafts of necessary legislation and submit its report thereon to the General Assembly at its next regular session

Mr. Speaker, I would like to ask sincerely that the Committee on Rules give this resolution the consideration it merits. I will not even object to somebody else introducing the same resolution. Or I will not object to a cosponsor from the other side on the resolution. This is really serious in Pennsylvania and we should do something about it. There is no better way to do this than by putting in into the hands of the Joint State Government Commission.

RESOLUTION

CONDOLENCE

Mrs. COYLE and Mrs. VARALLO offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 20, 1953.

Whereas, Word has just been received that Nellie M. O'Brien Finnerty died on April 15, 1953; and

Whereas, Some of the members of this House may remember Nellie M. O'Brien Finnerty in her amateur theatrical activities as well as her work in Catholic charities. Other members will remember her as the wife of John J. Finnerty who was a member of this House of Representatives from 1934 until 1946, being a member from the 18th legislative district of Philadelphia; therefore be it

Resolved, That the members of the House of Representatives extend their deep and sincere sympathy to our old colleague, Hon. John J. Finnerty in this hour of sorrow and bereavement; and be it further

Resolved, That a copy of this resolution be transmitted to him at 5230 Westminster Avenue, Philadelphia 39, Pennsylvania.

COMMITTEE MEETINGS

Cities—Counties—First-Second and Second Class A, Mr. Ewing, Chairman, Room 521, Tuesday, April 21, at 11:00 a. m.

Cities—Third Class Mr. Mikula, Chairman, Room 521, Tuesday, April 21, at 10:00 a. m.

Judiciary, Mr. Tompkins, Chairman, Room 520, Tuesday, April 21, at 10:30 a. m.

Pubic Health and Sanitation, Mr. Frost, Chairman, Room 522, Tuesday, April 21, at 10:00 a. m.

Townships, Mr. Reagan, Chairman, Room 522, Tuesday, April 21, at 11:00 a. m.

Welfare, Mr. Haudenshield, Chairman, Room 330, Tuesday, April 21, at 11:00 a. m.

Workmen's Compensation, Mr. Waterhouse, Chairman, Room 330, Tuesday, April 21, at 9:45 a. m.

ADJOURNMENT

Mr. THOMAS. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 21, 1953 at 2:00 p. m.

The motion was agreed to, and (at 6:05 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

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SENATE

TUESDAY, April 21, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. C. HARRY KEHM, Pastor of Grace Evangelical and Reformed Church, Allentown, offered the following prayer:

Let us pray.

Eternal and almighty God, Whose guiding hand has led us through the years, we pray Thee to continue to guide and to lead us in the affairs of our great Commonwealth.

Particularly we pray Thee, O God, that through Thy spirit, living in the hearts of our leaders, Thou wilt guide them in the ways of truth, and may that truth set at liberty all men. May they be led by Thy spirit of wisdom, and seek those things which should be done on behalf of our constituents. By the spirit of mercy, we pray Thee to lead us that all people unto our care may have a livelihood and have an abundant living.

We pray Thee to forgive and, as we are forgiven, bless us. Strengthen us with Thy spirit of courage, and then may Thy benediction of hope and peace rest and abide with us always. Meet with us this afternoon in this Session. Fill us with Thy holy spirit. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. SNOWDEN, due to illness.

He also asked and obtained leave of absence for Mr. CROWE, due to illness.

BILL SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 743, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore, At this time, the Chair invites the gentleman from Allegheny, Mr. Walker, to the rostrum to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

STUDENTS FROM CHELTENHAM HIGH SCHOOL, MONTGOMERY COUNTY, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair wishes to call to the attention of the Senate the presence of some guests of Senator Propert, from the Cheltenham High School, Montgomery County, who are studying Problems of Democracy.

Will the guests of Senator Propert please rise in place and take a bow?

STUDENTS FROM WYOMMISSING NINTH GRADE CIVICS CLASS PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would also like, at this time, to present to the Senate a group of students from the Wyomissing Ninth Grade Civics Class, who are the guests of Senator Ruth.

Will the guests of Senator Ruth please rise in place and take a bow?

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William W. Watkins, Rossville, York County, for appointment as Justice of the Peace in and for the Township of Warrington, York County, until the first Monday of January 1954, vice O. H. Barnes, deceased.

JOHN S. FINE.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduce, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 20, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 27, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, April 27, 1953 at three-thirty o'clock p. m., E. S. T.

REPORTS FROM COMMITTEE

Mr. McPHERSON, JR., from the Committee on Judiciary General, reported as amended Senate Bill No. 97, entitled:

An Act to prohibit acquisition of property and property rights by condemnation until payment into court of a percentage of the damages admittedly due owners.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 437, entitled:

An Act to amend the act, approved the ninth day of May, one thousand nine hundred forty-nine (P. L. 919), entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation; and providing procedures for transmission and settlement of certain moneys," by extending the provisions thereof to court ordered restitutions.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings of the United States Government, and of copies thereof, and extracts therefrom, and certificates in reference thereto," by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates, fares and charges, and supplements thereto, filed with the Interstate Commerce Commission.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF PENNSYLVANIA STATE PARK AND HARBOR COMMISSION OF ERIE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Pennsylvania State Park and Harbor Commission of Erie, until the third Tuesday of January 1955, and until their successors shall have been appointed and qualified:

Clair H. Hillstrom, Wayne Street, Corry, Erie County, to fill a vacancy.

Eben J. Gunnison, 150 East Main Street, Girard, Erie County, to fill a vacancy.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lewis A. Yerskey, 111 Myrtle Street, Girard, Erie County, for appointment as Justice of the Peace in and for the Borough of Girard, Erie County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Young, McClure, Snyder County, for appointment as Justice of the Peace in and for the Township of West Beaver, Snyder County, until the first Monday of January 1956, vice Warren A. Baker, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David G. Shade, R. D. No. 1, Millerstown, Perry County, for appointment as Justice of the Peace in and for the Township of Greenwood, Perry County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Charles Coxe (Republican), 35 North Fairview Street, Lock Haven, Clinton County, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice J. Frank Banghart, Lock Haven, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Bucy, Box 87, West Elizabeth, Allegheny County, for appointment as Justice of the Peace in and for the Borough of West Elizabeth, Allegheny County, until the first Monday of January 1954, vice David C. Gilliland, resigned.

JOHN S. FINE.

ALDERMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John A. DeRenzo, 1502 Ninth Street, Altoona, Blair County, for appointment as Alderman in and for the First Ward of the City of Altoona, Blair County, until the first Monday of January 1954, vice Thomas McFarlane, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry E. Brooks, 457 Grant Street, Williamsport, Lycoming County, for appointment as Alderman in and for the Ninth Ward of the City of Williamsport, Lycoming County, until the first Monday of January 1956, vice Franklin W. Border, resigned.

JOHN S. FINE.

STUDENTS FROM MYERSTOWN BOROUGH SCHOOLS, LEBANON COUNTY, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair wishes to present to the Senate at this time, sixty-six seniors from the Myerstown Borough Schools, of Lebanon County, who are the guests of Senator Diehm.

Will the guests of Senator Diehm please rise in place and take a bow?

BILLS INTRODUCED AND REFERRED

Mr. HARE read in his place and presented to the Chair Senate Bill No. 503, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 504, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh and eighth class.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 505, entitled:

An Act to further amend section one of the act, approved the twenty-third day of June, one thousand eight hundred eighty-five (P. L. 146), as amended, entitled "An act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry," providing that such licenses may be procured in any county; validating all marriages heretofore contracted thereunder; by the changing of consent thereto.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 506, entitled:

An Act to amend the act approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person or minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries, by adding to Article IX, Sections 904, 905 and 906, by providing for the acceptance of trusts by trustees and providing for the filing of said acceptance in the office of the register of wills; issuance of certificate of trusteeship; and notice of termination of trusteeships by filing a notice of termination in the office of the register of wills."

Which was committed to the Committee on Judiciary General.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 507, entitled:

An Act to reenact and amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1125), entitled as amended "An act providing for the regulation and supervision of nonprofit medical and dental and ostopathic service corporations organized to provide medical or dental or osteopathic services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe under certain circumstances, to the medical and dental and osteopathic service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine, and doctors of dental surgery and doctors of osteopathy to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical and dental and osteopathic service corporation, from providing medical or dental or osteopathic services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by including in the plan

chiropody services and defining "chiropody services" for the purpose of this act only.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 508, entitled:

An Act defining and regulating the practice of chiropody; conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction; and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

Messrs. PEELOR and McPHERSON, JR., read in place and presented to the Chair Senate Bill No. 509, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; providing for the election of, and the term of office of the present and future elected Senators; and repealing inconsistent laws in respect thereto.

Which was committed to the Committee on Reapportionment.

Mr. McPHERSON, JR. read in his place and presented to the Chair Senate Bill No. 510, entitled:

An Act to further amend Section 20 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by conferring powers and imposing duties on the State Treasurer regarding the collection and payment of per capita, poll and occupation taxes owed by State employes.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 511, entitled:

An Act to further amend clauses (6) and (7) of Section 2 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicles; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the execlusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repeal-legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 512, entitled:

A Joint Resolution proposing an amendment to section 1, article eight of the Constitution of the Commonwealth of Pennsylvania, by further providing for the qualifications of electors.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 513, entitled:

An Act providing for the establishment, maintenance and administration of an unsatisfied claim and judgment fund for the payment of damages for injury to or death of certain persons and for damages to property arising out of the ownership, maintenance or use of motor vehicles, and providing for payments from such fund.

Which was committed to the Committee on Judiciary General.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for ten minutes, for the purpose of having a meeting of the Committee on Constitutional Changes and Federal Relations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Constitutional Changes and Federal Relations, reported as amended House Bill No. 1, entitled:

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention.

SENATE CONCURRENT RESOLUTION

JOINT COMMITTEE TO STUDY EXISTING ADOPTION LAWS

Mr. McCREESH offered the following concurrent resolution which was twice read and referred to the Committee on Judiciary General.

In the Senate, April 21, 1953.

Whereas, The Senate Judiciary General Committee is holding a public hearing on Tuesday, the twenty-eighth day of April, at 3:00 P.M., on the adoption bills presented at the current legislative session that establish a State agency for all children placed for adoption; and

Whereas, At the present time the Commonwealth, under the Chesterman Committee survey, is trying to find ways and means of saving State moneys in order not to place new taxes on the people of Pennsylvania, these adoption bills create a new department with a number of new jobs and expenses for the State in caring for these children prior to adoption; and

Whereas, This plan will cost many millions of dollars of the taxpayers' money. Accordingly, it would be better to allow the existing child agencies to continue with their present work than for the State to spend millions of dollars of the taxpayers' moneys when the existing agencies are being maintained in greater part by private funds; therefore be it

Resolved (if the House of Representatives concur), That the Senate and House each appoint a committee to study existing adoption laws, to outlaw interference by persons not connected with the case, such as doctors, lawyers and nurses, to put teeth into the existing adoption laws by imposing fines, penalties and imprisonment for interference, illegal adoptions, and illegal methods of procuring these innocent children offered for adoption.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I have a resolution I want to present to the Senate. It is being presented at the request of the School District of the city of Scranton. My colleague, Senator McMenamin, is not here, but I would like to quote from the letter of transmittal:

"Dear Sir:

"The enclosed resolution was unanimously adopted at a regular meeting of the Board of Directors of the School District of City of Scranton held Monday evening April 13, 1953.

"I was instructed to send copies to Governor Fine, the United States Senators, Congressman Carrigg and leaders of the State Senate and House of Representatives."

Mr. President, their resolution is as follows:

"Whereas, The State of Pennsylvania has encouraged local school districts to embark upon expanded activities within the field of recreation, aid to crippled children, driver education and allied programs through a pledge to share the burden of cost for such endeavors through a system of subsidies, and

"Whereas, the State of Pennsylvania has only recently directed local districts to increase teachers' salaries, and

"Whereas, the P. S. E. A. (Legislative letter No. 3) has rightly pointed out that these broad programs which have been developed locally are dependent upon state guarantees of support which have been written into law and that the local districts cannot carry the increased tax load.

"Therefore Be It Resolved, that the Scranton School Board protests the action of state legislative leaders who, since March 31, allowed reports to be circulated that subsidies to local districts be sharply curtailed; and

"Be It Further Resolved, that the Governor of Pennsylvania, the Honorable John S. Fine and the leaders of both houses of the State Legislature be respectfully requested to seek the active support of the Pennsylvania delagation to the United States House and Senate in behalf of the Hill amendment on tidelands oil which would utilize royalties therefrom largely in behalf of national defense and education. In so acting, we specifically reject any concept for federal domination or interference with American education."

"Whereas, The United States Supreme Court in a series of decisions has ruled that the so-called tidelands oil is the common property of the American People and not of a few coastal states; and

"Whereas, there is an impelling need to use the resources therefrom for the good of the American people, especially in the fields of national security and education,

"Therefore Be It Resolved, that the Scranton School Board express its disappointment at the action of Congressman Joseph Carrigg for his support of the "give-away" program embodied in House Bill 2948 and that it respectfully requests the Congressman to reverse at the earliest opportunity the lamentable position he has assumed because of support of the House action on April 1.

Mr. President and Members of the Senate, with the over-all picture before us of the dire need in this Commonwealth for school funds, the exhausted revenue supplies that we have attacked in this Commonwealth, I personally believe, and am joined by my eighteen colleagues in the Democratic Caucus, that the time has come for us to express ourselves upon this very important question.

Mr. President, as the bill is now written before the United States Congres, it goes further than the ten mile limit, and it is allowing to the various States, the so-called coastal States, all of the various minerals and wealth that may be found on the entire continental shore. Another aftermath of the passage of this legislation will probably be the claim, and rightly so, of the various States within whose borders we find the various National Parks and land reserves. We may find ourselves, the people of these United States, and the various States that have these public domain properties, being exploited for the benefit of certain States.

Therefore, Mr. President, with that in mind, I am presenting to the Chair this concurrent resolution.

SENATE CONCURRENT RESOLUTION

MEMORIALIZING CONGRESS TO DEFEAT PROPOSED LEGISLATION REGARDING TIDELANDS OIL RESOURCES

Mr. DENT offered the following resolution which was twice read as follows:

Whereas, the great State of Pennsylvania, in common with its sister States throughout the Nation, is hard pressed to secure the revenues needed to meet the ever-expanding education needs of the children of our Commonwealth, and

Whereas, the great untapped oil resources which lie beneath the ocean bottom along the shores of this great Nation belong to all of the people of our country, and

Whereas, these unexploited oil reserves can provide a continuing source of income to meet the expanding educational needs of all of the children of this great Nation,

if legislation were enacted earmarking the funds to be realized from the exploitation of these oil resources for the education of all of the children of our nation, therefore

Be It Resolved, that this Senate, with the House of Representatives concurring, memorializes the Congress of the United States to defeat the proposed legislation which would surrender title of the Tidelands Oil resources to a few States, and to enact legislation which would protect the interests of the people of Pennsylvania, as well as those of all of the States of the Union, by earmarking the funds to be realized from the exploitation of these oil resources for use in supplementing the education budgets of each of the 48 States. A copy of this Resolution to be forwarded to the President and Vice-President of the United States, the Majority Leader of the United States Senate, the Speaker of the House of Representatives, and to all of the Senators and Representatives representing the Commonwealth of Pennsylvania in the Congress of the United States.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. MAHANY. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Constitutional Changes and Federal Relations.

STUDENTS FROM THE PENNSYLVANIA STATE COLLEGE PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like at this time to call to the attention of the Members of the Senate a group of visitors in the gallery from the Advanced Reporting Class, of the Department of Journalism, at The Pennsylvania State College, under the direction of Professor Frederick B. Marbut. They are the guests of Senator Letzler, from Clearfield County.

Will the guests of Senator Letzler please rise in place and take a bow?

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. TAYLOR,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF PENNSYLVANIA STATE PARK AND HARBOR COMMISSION OF ERIE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Pennsylvania State Park and Harbor Commission of Erie, until the third Tuesday of January 1955, and until their successors shall have been appointed and qualified:

Clair H. Hillstrom, Wayne Street, Corry, Erie County, to fill a vacancy.

Eben J. Gunnison, 150 East Main Street, Girard, Erie County, to fill a vacancy.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lewis A. Yerskey, 111 Myrtle Street, Girard, Erie County, for appointment as Justice of the Peace in and for the Borough of Girard, Erie County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Young, McClure, Snyder County, for appointment as Justice of the Peace in and for the Township of West Beaver, Snyder County, until the first Monday of January 1956, vice Warren A. Baker, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David G. Shade, R. D. No. 1, Millerstown, Perry County, for appointment as Justice of the Peace in and for the Township of Greenwood, Perry County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Charles Coxe (Republican), 35 North Fairview Street, Lock Haven, Clinton County, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice J. Frank Banghart, Lock Haven, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Bucy, Box 87, West Elizabeth, Allegheny County, for appointment as Justice of the Peace in and for the Borough of West Elizabeth, Allegheny County, until the first Monday of January 1954, vice David C. Gilliland, resigned.

JOHN S. FINE.

ALDERMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John A. DeRenzo, 1502 Ninth Street, Altoona, Blair County, for appointment as Alderman in and for the First Ward of the City of Altoona, Blair County, until the first Monday of January 1954, vice Thomas McFarlane, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry E. Brooks, 457 Grant Street, Williamsport, Lycoming County, for appointment as Alderman in and for the Ninth Ward of the City of Williamsport, Lycoming County, until the first Monday of January 1956, vice Franklin W. Border, resigned.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. TAYLOR,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,
Haluska,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 409, on final passage, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and al other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the sett ement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers colecting moneys payable to the Commonwealth or any agency theerof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the Department of the Auditor General to make annual audits of the affairs of county boards of assistance

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 421, on final passage, entitled:

An Act to amend the title and the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by changing the definitions of "Board" and "Department" changing the name of the department responsible for the issuance of licenses and transferring the State Board of Funeral Directors from the Department of Health to the Department of Public Instruction

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 35, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 1), page 4, lines 11 to 17, by striking out all of said lines; Amend Sec. 1, (Sec. 1), page 4, line 18, by striking out "(i)" and inserting in lieu thereof: "(6)"; Amend Sec. 1, (Sec. 1), page 6, line 2, by striking out "(ii)" and inserting in lieu thereof: "(7)"; Amend Sec. 1, (Sec. 1), page 6, line 16, by striking out "(9)" and inserting in lieu thereof: "(8)"; Amend Sec. 1, (Sec. 1), page 6, line 20, by striking out "(10)" and inserting in lieu thereof: "(9)"; Amend Sec. 1, (Sec. 1), page 7, line 5, striking out "(11)" and inserting in lieu thereof: "(10)"; Amend Sec. 1, (Sec. 1), page 7, line 9, by striking out "(12)" and inserting in lieu thereof: "(11)"; Amend Sec. 1, (Sec. 1), page 7, lines 14 to 17, by striking out all of said lines; Amend Sec. 1, (Sec. 1), page 7, line 18, by striking out "(14)" and inserting in lieu thereof: "(12)"; Amend Sec. 1, (Sec. 1), page 9, line 8, by striking out "(15) Other" and inserting in lieu thereof: "(13) First".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 47, as follows:

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Neither the fact that a fiduciary's service has not ended nor the fact that the trust has not ended shall be a bar to the fiduciary's receiving compensation for his services out of the principal of the trust

Section 2 Whenever it shall appear either during the continuance of a trust or at its end that a fiduciary has rendered services for which he has not been fully compensated the court having jurisdiction over his accounts shall allow him such original or additional compensation out of the trust income or the trust principal or both as may be necessary to compensate him for the services theretofore rendered by him

Section 3 The provisions of Sections 1 and 2 of this act shall apply to ordinary and extraordinary services alike

Section 4 Where the compensation of a fiduciary is expressly prescribed either by provisions of a will or deed of trust or other instrument under which he is acting or by provisions of an agreement between him and the creator of the trust nothing in this act shall change in any way the rights of any party in interest or of the fiduciary

Section 5 This act shall apply

(1) To all services heretofore rendered by any fiduciary

(2) To all services hereafter rendered by any fiduciary heretofore appointed

(3) To all services hereafter rendered by any fiduciary hereafter appointed in a trust heretofore created and

(4) To all services hereafter rendered by any fiduciary of a trust hereafter created

Section 6 If the Constitution of the United States or of this Commonwealth prevents the application of this act to services falling in one or more of the four categories listed in Section 5 hereof the act shall nevertheless apply to services falling in the other categories or category

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Hare,	Mallery,	Stevenson,
Barr,	Harney,	McCreesh,	Stiefel,
Berger,	Holland,	McCusker,	Taylor,
Blass,	Kephart,	McGinnis,	Toole,
Camiel,	Kessler,	McMenamin,	Wagner,
Chapman,	Kopriver, Jr.	McPherson, Jr.	Watkins,
Dent,	Lane,	Miller,	Watson,
Diehm,	Leader,	Pechan,	Weiner,
DiSilvestro,	Letzler,	Peelor,	Wolfe,
Fleming,	Madigan,	Propert,	Yosko,
Freed,	Mahany,	Ruth,	Walker,
Haluska,		Silvert,	Presiding Officer

NAYS—2

Wade,	Wood,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 86, on third reading, entitled:

An Act to further amend Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the purposes and powers of Authorities to include housing projects and authorizing the leasing and fixing of rentals in the operation thereof

be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 117, on third reading, entitled:

An Act to amend section 608.1 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the

public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for physical examinations and certificates signifying passage thereof by school bus drivers.

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 215, as follows:

An act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by further providing for the administration of the fiscal affairs of the county institution districts in counties of the third to eighth classes regulating the making of contracts and purchases authorizing such districts to take by gift grant devise or bequest money and property in trust and conferring powers and imposing duties on county commissioners county treasurers county controllers and county auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 305 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government and institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1619) is hereby further amended to read as follows

Section 305 Powers and Duties as to County Institution District Property As a function of the institution district and with its funds the commissioners of each county shall have the power and it shall be their duty

(a) With the approval of the Department of Welfare as to suitability and of the Court of Quarter Sessions of the Peace as to the amount of money to be expended and upon such notice as the court may require to acquire by purchase or the right of eminent domain lands and buildings for the care of dependents and for farms taking title in the name of the county institution district

(b) To erect equip maintain repair alter and add to institutions for the care of dependents and to equip maintain cultivate and improve farms using their produce for the support of dependents Any plan for the erection or substantial alteration of an institution must be approved as to suitability by the Department of Welfare and as to the amount of money to be expended by the Court of Quarter Sessions of the Peace

(c) With the approval of the Court of Quarter Sessions of the Peace upon such notice as the court may require to sell or lease real and personal property of the institution district

(d) To pay the other necessary expenses of the institution district

(e) In counties of the third to eighth classes to take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of the institution district The care and management investment sale reinvestment and disposal of such trust funds or property shall be vested in the county sinking fund commission and shall be governed thereby subject to such direction as the donors of such funds and property may prescribe

Section 2 Section 309 of said act as last amended by the acts approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 705) and the tenth day of May one thousand nine hundred forty-nine (P. L. 1074) is hereby repealed in so far as it relates to counties of the third to eighth classes

Section 3 Said act is hereby amended by adding thereto after section 308 six new sections to read as follows

Section 309 In counties third to eighth classes Fiscal Year and Adoption of Budget The fiscal year of each county institution district in counties of the third to eighth classes shall begin on the first day of January

Section 309.1 In Counties of the Third to Eighth Classes Preparation of Proposed Annual Budget (a) In counties of the third to eighth classes the commissioners shall at their first meeting after the November election in each year begin the preparation of the proposed budget for the succeeding fiscal year

(b) The county controller in such counties shall transmit to the commissioners a comparative statement of revenues for the current and the immediately preceding fiscal year and a comparative statement of expenditures including interest due and to fall due on all lawful interest bearing debts of the district for the same years giving estimates for the balance of the current year

(c) The controller's statement shall also indicate the amounts of all appropriation requests submitted to the

controller or to the commissioners and suppied by them to the controller from the several district offices and agencies including estimates of expenditures contemplated by the commissioners as forwarded by them to the controller

(d) The said statements in such form and detail as the commissioners direct shall be prepared upon forms furnished by the Department of Internal Affairs of the Commonwealth With this information as a guide the commissioners shall within a reasonable time prepare a proposed budget for the succeeding fiscal year

(e) In such counties not having a controller the commissioners shall prepare the statements hereinbefore required In counties having a controller the controller shall in addition to preparing the said statements advise with and assist the commissioners in preparing the proposed budget

Section 309.2 In Counties of the Third to Eighth Classes Publication of Proposed Budget and Notice of Final Action Date for Budget (a) The proposed budget in counties of the third to eighth classes shall be prepared notice thereof shall be published once in at least one newspaper of general circulation and the proposed budget shall be made available for public inspection for at least twenty days prior to the date set for adopting the budget The date set for final action on the budget shall in like manner be made a matter of public notice for at least ten days prior thereto

(b) Should it appear upon any revision of the proposed budget in such counties after it has been published that the estimated expenditures in the adopted budget would be increased more than ten per centum in the aggregate or more than twenty-five per centum in any individual item over the proposed budget as made available for public inspection such revised budget shall not be adopted with any such increases therein unless it be again made available for public inspection and for protest of such increases for a period of at least ten days after notice to that effect is published as hereinbefore provided

Section 309.3 In Counties of the Third to Eighth Classes Annual Budget Appropriations and Tax Filing Budget In counties of the third to eighth classes the budget shall reflect as nearly as possible the estimated revenues and expenditures for the year for which it is prepared It shall be prepared on forms prepared and furnished as provided in this act The commissioners shall upon adopting the budget adopt the appropriation measures required to put it into effect and shall fix such rate of taxation upon the valuation of the property taxable for institution district purposes as will together with all other estimated revenues of the district raise a sufficient sum to meet the said expenditures Within fifteen days after the adoption of the budget the commissioners shall file a copy thereof in the office of the Department of Internal Affairs

Section 309.4 In Counties of the Third to Eighth Classes Supplemental Appropriations Transfers of Funds Appropriation Limits The Commissioners in counties of the third to eighth classes may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law The commissioners may authorize the transfer of any unencumbered balance of any appropriation item or any portion thereof During the last fifteen days of any fiscal year the county commissioners shall have the power to authorize the transfer of any unencumbered balance or any portion thereof from any institution district fund to any county fund and to reappropriate such moneys to the county

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the commissioners which will cause the sums appropriated to be exceeded

Section 309.5 In Counties of the Third to Eighth Classes Amending Budget Notice Revisions Filing Amended Budget Prior to the first day of March next following the election of the county commissioners in counties of the third to eighth classes they may amend the budget of the district and the appropriations and tax rate to conform with the amended budget A period of ten days' public notice of the proposed amendments as provided for notice of the proposed budget shall intervene between the proposal to amend and the adoption of any such amended budget Any amended budget must be finally passed by the commissioners prior to the first day of March and any purported amendment of the budget in any subsequent month shall be void and of no effect

No proposed amendments to the budget shall after publication thereof be revised upward in excess of ten per centum in the aggregate thereof or as to an individual item in excess of twenty-five per centum of the amount of such individual item in the proposed amendment Within fifteen days after the adoption of an amended budget the commissioners shall file a copy thereof in the office of the Department of Internal Affairs

Section 4 Section 310 of said act as amended by the act approved the third day of July one thousand nine hundred forty-one (P. L. 256) is hereby further amended to read as follows

Section 310 Fiscal Administration Accounts and Audits (a) The commissioners of each county and the county treasurer shall keep accurate accounts of the moneys of the institution district In the case of institution districts in counties having no county controller such accounts shall be audited by the county auditors The commissioners and the treasurer as officers of the institution district shall be subject to the same fiscal supervision and control as are provided by law with respect to county funds

(b) [In] Subject to the power and duty of the county commissioners in counties of the third to eighth classes to manage and administer the fiscal affairs of the institution district in all counties having a county controller the county controller shall have general supervision and control of the fiscal affairs of the institution district and of the accounts and official acts of all officers or other persons who shall collect receive or distribute the public moneys of the district or who shall be charged with the management or custody thereof in counties of the third to eighth classes The disretionary powers of the controller shall not be applicable to the management of the fiscal policies of the commissioners or to matters not involving the accounts and transactions of officers or other persons in the district but he shall refuse to authorize any fiscal transaction which is by law subject to his supervision and control where it appears that such transaction is not authorized by law or has not been undertaken according to law or has not received approval according to law or as to which he desires upon reasonable grounds to investigate for or has already discovered any fraud flagrant abuse of public office or any criminal act or neglect of any officer or other person of the district relating to their public accounts and transactions In all counties may at any time require from any of them in writing an account of all moneys or property which may have come into their control He shall immediately on the discovery of any default or delinquency report the same to the commissioners [and the court of common pleas of the county and] who shall immediately take action to recover the money and to the district attorney for such prosecution as may be warranted and shall take immediate measures to secure the public moneys or property [and remove the delinquent party if in office and not removed by the commissioners]

(c) The controller shall furnish the commissioners of the county whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the institution district and shall between the hours of ten o'clock antemeridian and two o'clock postmeridian give information

respecting any of said accounts to any taxpayer of the county demanding the same

He shall have power and authority to require each and every county officer to make a quarterly statement with respect to moneys in his possession or control as an institution district officer showing the amount of cash on hand and the amount deposited in banks banking institutions and trust companies together with the names of such institutions He shall have power to examine every such account of an institution district officer in any bank banking institution or trust company to verify the accuracy of the statement of such officer and it shall be the duty of every such bank banking institution or trust company its officers and agents to furnish full information to the controller in relation to such account of such officer No bank banking institution or trust company its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any account of an institution district officer

(d) The county controller shall have the custody of all title deeds to real estate owned by the district and of all contracts entered into by or on behalf of the district and of all books documents and papers relating to its financial affairs and of all bonds and other obligations issued by said district when paid Such bonds and other obligations when so paid shall be distinctly cancelled by the controller and carefully and regularly filed a register of which cancellation shall be kept by him in a book to be provided for that purpose

(e) The controller shall keep a full and regular set of books in detail by double entry of all the fiscal operations of the institution district embracing as many accounts under appropriate titles as may be necessary to show distinctly and separately all the property of the district its receipts and expenditures and all debts and accounts due by the officers of the district or others and amount raised from each source of revenue and the expenditures in detail and classified by reference to the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of the district in connection with the fiscal affairs of the district Where the controller prescribes a new system of accounting as to the fiscal affairs of the district offices it shall be subject to the approval of the commissioners

(f) He shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of the county of all receipts and expenditures of the institution district for the preceding year in detail and classified as required in the preceding section of this act together with a full statement of the financial conditions of the district Such report shall thereupon be published one time in such newspapers published in the county as the controller may direct the aggregate cost of which shall not exceed five hundred dollars in any one year to be paid for out of the funds of the institution district In counties of the third to eighth classes the report may also be published in printed pamphlets at the cost of the district the number and cost thereof to be determined by the controller and the county commissioners Such report may be published in conjunction with and as a part of the similar report of the fiscal affairs of counties

(g) The county treasurer as treasurer of the institution district shall receive all moneys due or accruing to the [county] institution district He shall keep a just and true account of all moneys received and disbursed The books of the treasurer shall at all times during office hours be open to the inspection of the county controller He shall report daily to the controller all moneys received by him for the district the person by whom and on what account they were paid The treasurer shall give his receipt for all moneys paid into the treasury of the institution district Such receipts shall be countersigned by the controller who shall keep an accurate record of the same

(h) The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the institution districts All persons having such claims shall first present the same to the controller and if required make oath or affirmation before him to the correctness thereof The controller may if he deems it necessary require evidence by oath or affirmation of the claimant and otherwise that the claim is legally due and that the supplies or services for which payment is claimed have been furnished or performed under legal authority He may inquire or ascertain whether any officer or agent of the district is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evasion of [section three hundred and fifteen of this act] the law by making two or more contracts for small amounts which should have been in one If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim [All] in counties of the second class all claims which he shall find legally due he shall certify to the commissioners The commissioners in such counties shall draw no warrant on the treasury for any debt claim or demand whatsoever not audited and approved by the controller as provided for in this section

(i) [All] in counties of the second class all warrants drawn on the treasury of the institution district by the commissioners shall be countersigned by the controller who shall keep a correct register thereof noting the number date and amount of each the date of payment and to whom and for what issued The controller shall report to commissioners monthly or oftener if required by them the amount of outstanding warrant registered and the amount of money in the treasury The treasurer shall pay no money out of the treasury of the institution district except on warrants drawn by a majority of the commissioners and countersigned by the controller He shall cancel all warrants when paid by distinctly spearing or cutting them and shall deliver such warrants to the controller who shall also cancel the same He shall report daily to the controller all moneys paid out by him giving the number of the warrant and the party to whom paid All outstanding warrants issued before the controller enters upon the duties of his office shall be presented to him as other claims against the district

(j) In counties of the third to eighth classes the auditors shall audit settle and adjust the accounts of all institution district officers and make an annual report thereof on or before the first Monday of March to the court of common pleas unless upon due cause shown the court shall grant an extension of time therefor Said report shall be in detail showing distinctly and separately all receipts and expenditures of the several offices and all debts and accounts due and the amount raised from each source of revenue and the expenidtures in detail and classified by reference to the object thereof together with a full statement of the financial conditions of the institution district and a statement of the balance due from or to such officers

The auditor's report shall be prepared and placed in the printer's hands for publication within ten days after being filed in the court of common pleas and shall be published once in such newspapers published in said county as the commissioners direct The expense of the publication of said report shall be paid by the institution district

Section 5 Said act is hereby amended by adding thereto after section 310 three new sections to read as follows

Section 310.1 In Counties of the Third to Eighth Classes Voucher Check System The Controller In counties of the third to eighth classes shall draw and certify voucher checks for all bills claims and demands presented to him which he approves and only for such as he approves and shall forward the voucher checks together with the bill claim or demand to the county commissioners for their approval If the county commissioners approve at least two commissioners shall sign the checks as properly

drawn upon the county treasury In such cases facsimiles of their signatures may be used Thereupon the bill claim or demand and the voucher thereof shall be returned to the controller for filing in his office and the check shall be forwarded to the county treasurer The county treasurer shall sign the check as his draft upon the funds of the institution district in the county treasury but the treasurer shall not sign any check not already signed as herein provided by the commissioners and the controlled Vouchers shall be numbered serially before the controller forwards them to the county commissioners and every check incident thereto shall bear the same serial number as the voucher as well as the number or numbers which may be put upon it or them by the county treasurer If the county commissioners refuse to approve any bill claim or demand they shall return the same together with the voucher check or checks involved to the controller for filing in his office In counties not having a controller the county commissioners shall approve each transaction and the voucher check shall be drawn by their chief clerk who shall keep the files of the bills claims or demands invloved and of the vouchers At least two commissioners shall sign the checks either personally or by facsimile and they shall be forwarded as hereinbefore provided to the county treasurer for his signature In all cases the cancelled checks shall be filed in the office of the county treasurer but he shall transmit at such times as the controller shall establish a list of all checks paid from the funds of the institution district in the county treasury and not previously transmitted giving their voucher serial numbers

Section 310.2 In Counties of the Third to Eighth Classes Claims Not Approved by Controller If the controller in such counties does not approve a claim bill or demand presented to him he shall forward it to the county commissioners together with his notice that he has refused to approve the same and his reasons thereof The county commissioners shall consider the claim bill or demand and if they consider that it should be paid by the institution district they shall so notify the controller If the controller thereafter continues to refuse his approval no payment shall be made thereon by the district except pursuant to an order of court upon a proper issue thereto directing the controller to approve payment

Section 310.3 In Counties of the Third to Eighth Classes Controller's Register of Voucher Checks Reports to Commissioners The controller in counties of the third to Eighth classes shall keep a register of all vouchers drawn and a copy of each voucher When the check or checks drawn upon each voucher has been paid by the treasury the controller shall cancel the voucher or otherwise indicate the payment The controller shall report to the commissioners monthly or oftener if required by them the amount of outstanding voucher checks registered and the amount of money in the treasury or the amount of any particular unencumbered appropriation items involved

Section 6 Section 311 of said act is hereby amended to read as follows

Section 311 Reports to Department of Internal Affairs Within sixty days after the close of each fiscal year of any county institution district the county controller or the county auditors of each county shall report the financial condition of the district to the Department of Internal Affairs on forms furnished by the department Any auditors or controller refusing or wilfully neglecting to file such report shall upon conviction in a summary proceeding at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars ($5) for each day's delinquency and costs All fines recovered shall be for the use of the Commonwealth

Section 7 Section 315 of said act is hereby amended to read as follows

Section 315 Contracts [of Five Hundred Dollars or More to Be in Writing] It shall be the duty of the commissioners to purchase all supplies for the maintenance of the inmates of the institutions under their supervision [by written contract where such contract involves an expenditure of five hundred dollars or more The commissioners shall by advertisement inserted in at least one newspaper of the county in which said institution is located once a week for two weeks invite sealed proposals for the furnishing of such supplies and shall award all such contracts to the lowest responsible bidder and shall take from such bidder a bond with sufficient sureties conditioned for the faithful performance of his contract

Any commissioner violating the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding six months or both] and to contract for and purchase all services and personal property for county institution district officers and agencies They shall where possible anticipate the needs of the various officers and agencies of the district and endeavor to purchase in wholesale quantities where practicable and where savings could be achieved thereby The commissioners may make contracts and purchases for all purposes expressly or impliedly authorized by law

All contracts and purchases made by the commissioners for the county institution district shall be made in the same manner and under the same procedure as if they were being made for the county and shall be subject to the same restriction regulations and controls provided by law for county contracts and purchases

Section 8 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,
Haluska,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 304, as follows:

An Act to further amend Secton 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring persons partner-

ships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain condition for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" by further regulating the licensing and conditions for transaction of such business

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 605) is hereby further amended to read as follows

Section 3 [The] Except as hereinafter provided the Insurance Commissioner shall issue adjusters' licenses and adjuster solicitors' licenses to persons partnerships associations or corporations applying therefor whom he deems to be trustworthy and competent to transact business as public adjusters and public adjuster solicitors respectively in such manner as to safeguard the interests of the public [but no] No license shall be issued to any person partnership association or corporation engaged or interested in or receiving any profit from nor shall the holder of any such license engage or be interested in or receive any profit from any salvage or similar business and no license shall be issued to any person partnership association or corporation interested in or receiving any profit from any insurance agency or insurance brokerage business nor shall the holder of any license issued pursuant to this act engage in or receive any profit from any insurance agency or insurance brokerage business

No licensed public adjuster shall directly or indirectly act within this Commonwealth as a public adjuster without having first entered into a contract in writing in a form approved by the Insurance Commissioner and executed in duplicate by the public adjuster and the assured or his duly authorized representative one copy of which contract shall be kept on file by the public adjuster open at all times to inspection without notice by the Insurance Commissioner his deputy or his examiners

No public adjuster solicitor shall use any form of contract other than that approved for the public adjuster for whom he is soliciting nor shall he make any contracts or agreements for himself or for the public adjuster other than such as are specified in the approved contract

Every licensed public adjuster shall keep a full record of his transactions as public adjuster open at all times without notice to the inspection of the Insurance Commissioner his deputy or his examiners showing (1) the name of the assured (2) the date location and amount of the loss (3) the name of the insurer amount expiration date and number of each policy of insurance carried with respect to such loss (4) an itemized statement of all recoveries by the assured from all sources (5) the name or names and addresses of any person or persons soliciting the adjustment and the date when solicited (6) the total compensation received for adjustment and the amount of commission salary or compensation paid to each employe and solicitor and (7) such other information as the Insurance Commissioner may require

Every public adjuster solicitor shall keep a full record of his transactions as such open at all times without notice to the inspection of the Insurance Commissioner his deputy or his examiners showing (1) the name of the assured (2) the date and location of the loss (3) the name or names and addresses of any person or persons soliciting the adjustment for or with him and the date or dates when solicited and (4) such other information as the Insurance Commissioner may require

No licensed public adjuster or public adjuster solicitor shall divide any fee or give any fee commission or other compensation to any person partnership association or corporation for procuring or assisting in procuring the adjustment or investigation of any claim arising out of a policy or policies of insurance surety or indemnity unless the person firm or corporation to whom such fee commission or other compensation is given or paid had at the time when the loss occurred a public adjuster or public adjuster solicitor's license issued and in force pursuant to the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276)

A license issued to a corporation partnership or association shall authorize only the officers and directors of the corporation or the members of the partnership or association specified in the license The fee to be paid to the Insurance Commissioner by the applicant for a public adjusters' license at the time the application is made and annually thereafter for the renewal thereof shall be one hundred dollars If the applicant is a corporation partnership or association such fee shall be paid for each person specified in the license

The fee to be paid to the Insurance Commissioner by the applicant for a public adjuster solicitor's license at the time the application is made and annually thereafter for the renewal thereof shall be fifty dollars If the applicant is a corporation partnership or association such fee shall be paid for each person specified in the license

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kessler,	McMenamin,	Wade,
Camiel,	Kephart,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,
Haluska,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 324, as follows:

An Act relating to support or dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Pennsylvania civil Procedual Support Law"

Section 2 Definitions The masculine pronoun when used in this Act shall be construed to include the female

"Court" as used in this Act shall be construed to mean the Quarter Sessions Court of any county the Municipal Court of Philadelphia and the County Court of Allgeheny County

"Law" includes both common and statute law

"Duty of Support" includes and duty of support imposed or imposable by law or by any court order decree or judgment whether interlocutory or final whether incidental to a proceeding for divorce legal separation separate maintenance or otherwise

"Probation Officer" shall include any officer now or hereafter serving in any court at the direction of the court in the Domestic Relations Division of this court and to whom is assigned the enforcement of the duty to support

"Initiating county" means any county in which any proceeding pursuant to this Act is commenced

"Responding county" means any county (including the initiating county) in which any proceeding pursuant to the proceeding in the initiating county is or may be commenced

"Complaint" shall include any petition information affidavit or any other legal document for the institution of support proceedings

Section 3 Remedies Additional to Those Now Existing The proceedings provided by this Act are in addition to and not in substitution of proceedings provided by law where there is desertion or a failure of duty to support

Section 4 Domestic Relations Division and Probation Officer (a) In every judicial district of the Commonwealth there shall be a Domestic Relations Division for the purpose of keeping a full and complete record of all support proceedings which shall process all complaints received from an initiating county or from an initiating state which has adopted the Uniform Reciprocal Enforcement of Support Act

(b) A probation officer together with such assistants as may be necessary appointed by the court shall be in charge of the Domestic Relations Division for the purpose of processing the complaints filed and making effective the orders of support entered said probation officer shall keep an account of all orders made by the court and a record of all payments made thereunder and shall bring promptly to the attention of the court and the district attorney any default in complance with the court's order the probation officer shall make an annual report to the court of the full activity of the Domestic Relations Division

(c) The probation officer and assistants in the Domestic Relations Division shall receive a salary commensurate with their duties and fixed by the salary board of the county together with the necessary expenses incurred while in the actual performance of duty both of which shall be paid by the county It shall be the duty of the problation officer to make such investigation as may be necessary and to furnish the court such information and assistance as the court may require and to take charge of any defendant before or after hearing as may be directed by the court and to collect and pay over to the proper persons money received and in general to do and perform such services as the court may direct

Section 5 Commencement of Actions (a) A support action under this Act shall be commenced by the filing of a verified complaint which shall state as follows (1) The name and address of the complainant (2) The name and address of the defendant (3) The date and place of marriage (4) The names and ages of any children (5) Date and circumstances of separation or failure to support (6) Employment of defendant and earnings (7) Amount of public assistance (8) Amount of support asked (9) The complaint may contain any information to aid the locating or identification of a defendant including but without limitation by enumeration a photograph of the defendant a description of any distinguishing marks of his person other names and aliases by which he has been or is known his financial status fingerprints and Social Security number and any order of support in any other court

(b) A complaint may be filed by any person including a minor wife to whom a duty of support is owing it shall be filed on behalf of a minor child by a person having custody of the minor without appointment as guardian ad litem it may be filed by any public body or public or private agency having any interest in the care maintenance or assistance of any person to whom a duty of support is owing

(c) Every complaint shall contain an order directing the defendant to appear for hearing at a time and place as specified in such order

(d) Every complaint and order may be served by registered mail or by any adult person or by any other manner provided by law

Section 6 Contempt of Court If a person duly served with a copy of a complaint and order shall fail to appear the court may issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct at which time the court may adjudge said person in contempt of court and in its discretion may commit such person to the county jail or house of correction for a period not exceeding six (6) months

Section 7 Order of Support (a) An order of support may be made retroactive to the date of the filing of the complaint

(b) An order to support of any person shall be made payable to the Domestic Relations Division for transmission to the complaint or for transmission directly to a public body or public or private agency whenever the care maintenance and assistance of such person is provided for by such public body or public or private agency

Section 8 Compelling Attendance (a) At all stages of proceedings provided under this Act the court may compel the attendance by attachment process directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to appear be brought before the court at such time as the court may direct at which time the court may adjudge such person in contempt of court and in its discretion may commit such person to the county jail or house of correction for a period not exceeding six (6) months

(b) At any stage of the proceedings under this Act upon affidavit that the defendant is about to leave the jurisdiction an attachment may be issued directed to the sheriff or other proper officer of the county directing that the person named be brought before the court at such time as the court may direct at which time the court may direct that the person named give security by one or more surety to appear when directed by the court or to comply with any order of the court

Section 9 Enforcement of orders of the court (a) The court upon receiving information either through written application or at any hearing that there is failure to comply with the order of the court may issue attachment proceedings directed to the sheriff or other proper officer of the county directing that the person named

be brought before the court at such time as the court may direct

(b) Any wilful failure to comply with any order of the court may be deemed a contempt of court and may be punishable by the court by commitment to the county jail or house of correction

(c) The wages salary or commissions of any person owing a duty of support may be attached in the following manner

(1) A certified copy of the order of support shall be served on the employer whether a corporation political subdivision association company firm or individual and may be served by registered mail or by any adult person or by any other manner provided by law

(2) Such certified copy of the order shall contain an order directing the employer to make a full answer within ten (10) days after service of the order of the amount of wages salary or commissions of the defendant and further directing the employer to make no payment to the defendant over 50% of the amount due him until further order of the court

(3) The court shall determine the amount of the wages salary or commissions which shall be regularly paid by the employer to the Domestic Relations Division and shall so notify said employer

(4) Thereafter it shall be the duty of the employer to pay such amount regularly to the Domestic Relations Division and upon failure so to pay shall be in contempt and subject to the court's order as now provided in proceedings against defendant

(5) Such attachment shall continue until discharged by order of the court

(d) The Domestic Relations Division shall make periodic reports to the court of defaults in and failure to comply with any order of the court

Section 10 Jurisdiction The court making the order shall at all times maintain jurisdiction of the cause for the purpose of enforcement of the order and for the purpose of increasing decreasing modifying or rescinding such order without limiting the right of a complainant to institute additional proceedings for support in any county wherein the defendant resides or where his property is situated

Section 11 Duties of District Attorney (a) The district attorney shall at all times aid in the enforcement of the duty of support and shall cooperate with the Domestic Relations Division in the presentation of complaints or in any proceeding designed to obtain compliance with any order of the court

(b) The district attorney upon the request of the court a state or local public welfare official shall represent any complainant in any proceeding under this act

Section 12 Duties of Court in Initiating County If the court of the county acting as an initiating county finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support or the defendant is in default in payment on an order of support and that the court of the responding county may obtain jurisdiction of the defendant or his property it shall so certify to the responding county and shall cause three copies of (1) the complaint or order and (2) is certification to be transmitted to the court in the responding county

Section 13 Duties of Court in Responding County (a) If the court of the county acting as responding county receives from the initiating county the aforesaid copies it shall (1) docket the cause (2) notify the district attorney (3) set time and place for hearing and (4) serve the defendant

(b) If the responding county is unable to obtain jurisdiction of the defendant or his property the court shall communicate this to the intiating county

(c) If the responding county finds a duty of support or a default in payment on an order or support it shall enter an appropriate order and may further subject any property of the defendant to such order by any writ of attachment or execution

(d) The responding county shall cause to be transmitted to the initiating county a copy of all orders entered and shall transmit all collections made on any order to the Domestic Relations Division of the initiating county

(e) The responding county shall have the power to subject the defendant or his property to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular (1) to require the defendant to furnish recognizance in the form of cash deposit or bond of such character and in such amount as the court may deem proper to assure compliance with the order of support (2) to require the defendant to make payments at specific intervals to its Domestic Relations Division (3) to punish the defendant who shall violate any order of the court to the same extent as is provided by law for comtempt of court

Section 14 Costs and Fees No fee shall be required to be paid in advance The court of an initiating or responding county may in its discretion direct that any part of or all fees and costs incurred including without limitation by enumeration fees for filing service of process seizure of property and stenographic service shall be paid by the parties or shall be borne by the county in which the costs have been incurred When the action is brought by or through the state or local public welfare official there shall be no filing fee

And said bill having been read at length the third time,

and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bane,	Kephart,	McPherson, Jr.	Wade,
Berger,	Kessler,	Miller,	Wagner,
Blass,	Kopriver, Jr.	Pechan,	Watkins,
Chapman,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Yosko,
Freed,	Mahany,	Silvert,	Walker,
Hare,	Mallery,	Taylor,	Presiding Officer
Harney,	McCusker,		

NAYS—6

Barr,	Haluska,	Lane,
Dent,	Holland,	McCreesh,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 326, as follows:

An act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class singly or jointly prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate public auditoriums to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of the holders thereof conferring the right of eminent domain on such Authorities empowering such Authorities to enter into contracts leases and licenses with and to accept grants from private sources the Federal Government State political subdivisions of the State or any agency thereof authorizing the making of said grants from bond funds or current revenues authorizing Authorities to collect rentals admissions license fees for the use of the project exempt-

ing the property and securities of such Public Auditorium Authorities from taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title

This act shall be known and may be cited as the "Public Auditorium Authorities Law"

Section 2 Definitions

The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of the Authority

(c) The term "bonds' shall mean and include the notes bonds and other evidence of indebtedness or obligations which the Authority is authorized to issue pursuant to Section 5 of this act

(d) The term "city" shall mean city of the second class

(e) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(f) The term "county" shall mean county of the second class

(g) The term "Federal Agency" shall mean and include the United States of America the President of the United States of America and any department or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(h) The term "improvement' shall mean and include enlargement and improvement and the term "to improve" shall mean and include to enlarge and to improve all in such manner as may be deemed desirable

(i) 8he term "municipality" shall mean any county city town borough township or school district of the Commonwealth of Pennsylvania

(j) The term "municipal authorities" shall mean the Board of County Commissioners of the county or the council of the city

(k) The term "persons" shall mean and include natural persons

(l) The term "project" shall mean any structure facility or undertaking which the Authority is authorized to acquire construct improve maintain or operate under the provisions of this act

(m) The term "public auditorium" shall mean any structure appropriate for large public assemblies the holding of conventions sporting tournaments athletic contests and exhibitions musical and dramatic performances and other business social cultural scientific and recreational events and all facilities necessary or incident thereto including provisions for adequate off-street parking

Section 3 Method of Incorporation

a Whenever the municipal authorities of any county or of any city singly or jointly (including a county-city joinder) shall desire to organize an Authority under this act they shall adopt a resolution or ordinance signifying their intention to do so Thereafter the municipal authorities of such county or city shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county or counties in which such authority is to be organized and at least one time in a newspaper published and of general circulation in such county or counties Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of the proposed articles of incorporation making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania No county or city shall be required (any law to the contrary notwithstanding) to make any other publication of such resolution or ordinance under the provision of existing law The aforesaid publication of such notice shall be sufficient compliance with such laws

b On or before the day specified in said notice the municipal authirities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that such Authority is formed under this act

(c) The name of the incorporating city or county together with the names and addresses of its municipal authorities and

(d) The names addresses and term of office of the first members of the board of said Authority

If a joint Authority the articles shall specify which members are to be appointed by the respective county or city

All of which matter shall be detirmined in accordance with the provisions of this act Said articles of incorporation shall be executed by each incorporating city or county by its proper officers and under its municipal seal

c If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specifield in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existance of said Authority shall begin Said Certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

d When the Authority has been organized and its officers elected the secretary shall certify to the Secretary of the Commonwealth the names and addresses of its officers as well as the principal office of the Authority Any change in the location of the principal office shall likewise be certified to the Secretary of the Commonwealth within ten (10) days after such change

Section 4 Amendment of Articles

a An Authority in the manner hereinafter provided may from time to time amend its articles

(1) To adopt a new name

(2) To add a provision therein increasing its term of existance to a date not exceeding fifty years from the date of approval of the articles of amendments or to modify any provision thereof limiting its terms of existance by increasing such term to such a date

(3) To reapportion the representation on the board of the Authority and to revise the terms of office of such members all in such manner as shall not be inconsistent with the provisions of section eight of this act

b Every amendment to the articles shall first be proposed by the board by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to the municipal authorities of the county or city composing the Authority The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles After the amendments have been submitted to the county or city such county or city shall adopt or reject such amendment by resolution or ordinance

c After an amendment has been adopted by the county or city articles of amendment shall be executed under the seal of the Authority and verified by two duly authorized officers of the corporation and shall set forth

(1) The name and location of the registered office of the Authority

(2) The act of Assembly under which the Authority was formed and the date when the original Certificate of Incorporation was issued

(3) The resolution or ordinance of the county or city adopting the amendment

(4) The amendment adopted by the county or city which shall be set forth in full

d. The Authority shall advertise its intention to file articles of Amendment with the Secretary of the Commonwealth in the manner prescribed in section three of this act in the case of the formation of an Authority Advertisements shall appear at least three days prior to the day upon which the articles of amendments are presented to the Secretary of the Commonwealth and shall set forth briefly

(1) The name and location of the registered office of the Authority

(2) A statement that the articles of amendments are to be filed under the provisions of this act

(3) The nature and character of the proposed amendment

(4) The time when the articles of amendment will be filed with the Secretary of the Commonwealth

e The articles of amendment and proof of the advertisement heretofore required shall be delivered by the Authority or its representative to the Secretary of the Commonwealth If the Secretary of the Commonwealth finds that such articles conform to law he shall forthwith but not prior to the day specified in the advertisement required heretofore endorse his approval thereon and when all fees and charges have been paid shall file the articles and issue to the Authority or its representative a certificate of amendment to which shall be attached a copy of the approved articles

Section 5 Purposes and Powers General

a Every Authority incorporated under this act shall be a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee public auditoriums the purpose and interest of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and promoting their educational cultural physical civic social and moral welfare

b Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purpose including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years and for such further period or periods as may be provided in articles of amendment approved under section four hereof

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold receive lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purpose of the Authority and to sell lease as lessor permit the use of transfer and dispose of any property or interest therein or any project or part thereof at any time acquired or constructed by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rentals admission license fees and other charges for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the incorporating county or city

(i) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date later than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases licenses or other transactions with any Federal agency Commonwealth of Pennsylvania municipality private person association partnership corporation or Authority created under this or any other act of the General Assembly of Pennsylvania

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(o) To enter into contracts of group insurance for the benefit of its employes and to set up a retirement or pension fund for such employes

p The Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth of Pennsylvania or any political subdivision nor shall any of its obligations be deemed to be obligations of the Commonwelath of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 6 Purposes and Powers Bonds

a The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon

bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six percentum per annum Pending the preparation of the definitive bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

b Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth of Pennsylvania or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues of the Authority form all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) admissions rentals and other charges for use of the facilities of the Authority (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

c Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustee and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders

a The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal or interest on any of the bonds after the said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the bondholders for the purpose herein provided

b Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentages as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(a) by mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rents rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(b) bring suit upon the bonds

(c) by action or suit in equity require the Authority to account as it were by the trustee of an express trust for the bondholders

(d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(e) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such percentage as may be specified in any deed of trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

c The court of common pleas of the county shall have jurisdiction of any suit action or proceedings by the trustee on behalf of the bondholders Any trustee when appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may enter and take possession of the facilities of the Authority or any part or parts thereof the revenues or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority or the board might do and shall deposit all such moneys in a seperate account and apply the same in such manner as the court shall direct In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues and receipts from which are or may be applicable to the payment of the bonds so in default Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

d Nothing in this section or any other section of this act shall authorize any receiver appointed pursant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assest of whatever kind and character belonging to the Authority It is the intention of this act to limit the powers of such receiver

to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compell a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assests of whatever kind of character belonging to the Authority

Section 8 Governing Body

a The powers of each Authority shall be exercised by a board composed of five members all of whom shall be residents of the county organizing the Authority or the county wherein the city organizing the Authority is located The municipal authorities of the county or the Mayor of the city shall appoint the members of the board whose terms of office shall commence on the date of appointment and one of whom shall serve for one year or for two years one for three years one for four years and one for five years from January First next succeeding the date of incorporation Thereafter whenever a vacancy has occured or is about to occur by reason of the expiration of the term of any member the said municipal authorities or Mayors as the case may be shall appoint a member of the board for a trem of five years to succeed the member whose trem has expired or is about to expire Appointments in the case of a joint county-city authority shall be apportioned in the following manner two members to be appointed by the municipal authority of the county two members to be appointed by the Mayor of the city and the fifth member to be appointed by concurring action of the municipal authority of the county and the Mayor of the city Members of the board may be removed at the will of the appointing power and in the case of a joint county-city authority the fifth member may be remonved at will by either of the appointing powers

b Members shall hold office until their successors have been appointed and may succeed themselves A member shall receive no compensation for his service but shall be entitled to the necessary expenses including travelling expenses incurred in the discharge of his duties If a vacancy shall occur by reason of the death disqualification resignation or removal of a member the appointing power shall appoin a successor to fill his unexpired term

c The members of the board shall select from among themselves a chairman a vice chairman and such other officers as the board may determine The board may employ a Secretary an executive director its own counsel and legal staff and such technical experts and such other agents and employes permanent or temporary as it may require and may determine the qualfications and fix the compensation of such persons Three members of the board shall constitute a quorum for its meetings Members of the board shall not be liable personally on the bonds or other obligations of the Authority and the rights of creditors shall be solely against such Authority The board may delegate to one or more of its agents or employes such of its powers as it shall deem necessary to carry out the purposes of this act subject always to the supervision and control of the board The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied

Section 9 Moneys of the Authority All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the county or city creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders Every authority shall have at least an annual examination of its books accounts and records by a certified public accountant A copy of such audit shall be delivered to the county or city creating the Authority A concise financial statement shall be published annually at least once in a newspaper of general circulation in the county or city where the principal office of the Authority is located If such publication is not made by the Authority the county or city shall publish such statement at the expense of the Authority If the Authority fails to make such an audit then the controller auditors or accountant designated by the county or city are hereby authorized and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs

The Attorney General of the Commonwealth of Pennsylvania shall have the right to examine the books accounts and records of any Authority

Section 10 Transfer of Existing Facilities or Funds and the Making of Annual Grants to Authority

a Any municipality or owner may and they are hereby authorized to sell lease lend grant convey transfer or pay over to any Authority with or without consideration any project or any part or parts thereof or any interest in real or personal property or any funds available or building construction or improvement purposes including the proceeds of bonds previously or hereafter issued for building conconstruction or improvement purposes which may be used by the Authority in the construction improvement maintenance or operation of any project and any municipality is hereby empowered to issue general obligation bonds for the purpose of providing funds for the building construction or improvement of a public auditorium and transferring said funds to an Authority created under this act

b Any municipality may and it is hereby authorized to make annual grants from current revenues to the Authority to assist in defraying the costs of operation maintenance and debt service of the project and to enter into long term agreements providing for the payment of the same

Section 11 Competition in Award of Contracts

a All construction reconstruction repairs or work of any nature made by any Authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars ($500.00) except construction reconstruction repairs or work done by employes of said Authority or by labor supplied under agreement with any Federal or State agency with supplies and materials purchased as hereinafter provided shall be done only under contract or contracts to be entered in by the Authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids hereinafter provided No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in amount fixed by the Authority for the faithful performance of the contract All such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the

obligor in the undertaking as though such persons or corporation was named therein provided the action is brought within one year after the time the cause of action accured Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

b All supplies and materials costing five hundred dollars ($500.00) or more shall be purchased only after due advertisement as hereinafter provided Authority shall accept the lowest bid or bids kinds quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any bid The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer

c The terms advertisement or due public notice whereever used in this section shall mean a notice published at least ten (10) days before the award on any contract in a newspaper of general circulation published in the municipality where the Authority has its principle office and if no newspaper is published therein then by publication in a newspaper in the county where the Authority has its principal office Provided That such notice may be waived where the Authority determines an emergency exists and such supplies and materials must be immediately purchased by the said Authority

d No member of the Authority or officer or employe thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority If any contract or agreement shall be made in violation of the provision of this section the same shall be null and void and no action shall be maintained thereon against such Authority.

e Subject to the aforesaid any Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in conection with any project or portion thereof as the Authority may deem desirable or as may be requested by and Federal agency that may assist in the financing of such project or any part thereof Provided however That the provisions of this section shall not apply to any case in which the Authority has taken over by transfer or assignment any contract authorized to be assigned to it under the provisions of section ten of this act nor to any contract in connection with the construction of any project which the Authority may have had transferred to it by any person or private corporation.

Section 12 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands as the Authority may deem necessary for the purpose mentioned in this act Provided however That no property owned or used by the United States the Commonwealth of Pennsylvania any political subdivision thereof or any hody politic and corporate organized as an "Authority" under any law of the Commonwealth or by any agency or any of them nor any property of a public service company property used for burial purposes places of public worship shall be taken under the right of eminent domain The right of eminent domain shall be exercised b the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality by which such Authority was organized

In the case of a joint Authority right of eminent domain shall be exercised by the Authority in the same manner as is provided by law for the exercise of such right by municipalities of the same class as the municipalities of the same class as the municipality in which the right of eminent domain is to be exercised except that where the right is to be exercised in a city located in a county and both are members of the Authority the law established for the city shall govern

Section 13 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefit

Section 14 Limitation of Powers The Commonwealth does hereb pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth of Pennsylvania does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal Agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of the project or such portion thereof

Section 15 Termination of Authority

When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may (subject to any agreements concerning the operation or disposition of such project) convey such project to the county or city creating the Authority and terminate its existence A certificate requesting the termination of the existence of the Authority shall be submitted to the county or city creating the Authority If the certificate is approved by the county or city then the certificate endorsed with such approval shall be filed with the Secretary of the Commonwealth and thereupon the said secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board Thereupon the property of said Authority shall pass to the county or city and the Authority shall cease to exist

Section 16 Exemption from Taxation

The effectuation of the authorized purpose of Authorities created under this act shall and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since such Authorities will be performing essential governmental functions in effectuating such purposes such Authorities shall not be required to pay any taxes or assessments upon any property acquired or used or permitted to be used by them for such purposes and the bonds issued by any Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

Section 17 Conveyance and Lease by Authorities

a The project established under this act may be acquired by the incorporatinfi county or city The said county or city shall by appropriate resolution or ordinance signifying its or their desire to do so and thereupon the Authority shall convey by appropriate instrument said

project to the county or city upon the assumption by the county or city of all obligations incurred by the Authority with respect to the project

b The project established under this act may be leased by the Authority to the incorporating county or city and the said county or city is hereby empowered to enter into a lease for such purpose

Section 18 Constitutional Construction

The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 19 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Harney,	McCusker,	Taylor,
Barr,	Holland,	McGinnis,	Toole,
Berger,	Kephart,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Walker,
Haluska,	Mallery,	Stevenson,	Presiding Officer
Hare,	McCreesh,	Stiefel,	

NAYS—2

Chapman,	Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 349, as follows:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and the beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contributions requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 9 Powers to Legislate and Regulate Every such society shall provide for the payment of death benefits and may provide for the erection of monuments to mark the graves of its deceased members and shall have power To make alter and amend its constitution and laws for the government of the society to arrange for the management of its affairs the admission and classification of its members to control and regulate terms and conditions governing the issuance of its beneficiary certificates the character or kind of benefits payable or allowable thereunder and the manner in which they are to be paid to fix and adjust rates of contribution fees or dues payable by its members and the allotment of the same to the different funds of the society

Nothing contained in this act shall prevent a society from using terminology that express the intent and purpose of the forms issued to the members except that in the contracts issued such forms shall include in conspicuous type on the masthead and on the filing back under the name of the Society the words "A Fraternal Benefit Society"

Section 2 Section fifteen of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred fifty-one (P. L. 403) is hereby further amended to read as follows

Section 15 Funds Securities The funds from which benefits shall be paid and the funds from which expenses of the society shall be defrayed shall be derived from regular monthly or other periodical rates of contribution [paid by the members of] received by the society and accretions of said funds as apportioned in accordance with the constitution and laws of the society and no part of any funds set aside for the payment of benefits shall be used for expenses or other purposes except that any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis may transfer or allocate such excess insurance funds to the expense or other funds of the society in accordance with its constitution and by-laws but the amount so transferred in any calendar year shall not exceed five per cent of the [total premium income] contributions to the mortuary fund exclusive of any receipts for disability or double indemnity of such society during the next preceding calendar year Any such society having admitted assets as shown by its last annual statement filed with the Insurance Commissioner in excess of one hundred per cent of its entire liabilities including its required reserves computed on a net tabular basis not lower than the American Experience Table of Mortality with an interest rate of three and one-half per cent may in accordance with its constitution and by-laws provide for the consolidation of its various funds and may report its transactions accordingly Provided That no expenses will be incurred that would impair the reserve base or bases which it is using Except as herein otherwise allowed every domestic society shall invest its funds only in securities and in the manner permitted by the laws of this Commonwealth for the investment

of the funds of life insurance companies and in securities of Federal savings and loan associations or of other institutions to the extent that such investment is guaranteed by the United States Government or any instrumentality thereof Unless the approval of the Insurance Commissioners shall be first obtained in writing no domestic society shall keep or maintain at a place outside this Commonwealth any securities or other assets except such as are necessary for the collection of current dues and to enable it to comply with the laws of any other state or foreign country for the purpose of transacting business therein

And said bill having been read at length the third time, and agreed to,

On the question,

Sha'l the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Kephart,	McCusker,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Diehm,	Kopriver, Jr.	Miller,	Watkins,
Fleming,	Letzler,	Pechan,	Watson,
Freed,	Madigan,	Peelor,	Wolfe,
Hare,	Mahany,	Propert,	Walker,
Harney,	Mallery,	Taylor,	Presiding Officer

NAYS—13

Bane,	Haluska,	Leader,	Silvert,
Barr,	Holland,	McCreesh,	Weiner,
Chapman,	Lane,	Ruth,	Yosko,
Dent,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 354, as follows:

An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (Pamphlet Laws 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to e'ections to take under or gainst wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 14 Rules of Interpretation In the absence of a contrary intent appearing therein will shall be construed as to real and personal estate in accordance with the following rules

* * * * *

(15) If in a will no express disposition or other mention is made of a cemetery lot owned by the testator at his decease and wherein he or any member of his family is buried the ownership of the lot shall not pass from his lawful heirs by a residuary or other general clause of the will but shall descend to his heirs as if he had died intestate

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeabzly to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,
Haluska,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 414, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schols or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the aslaries of the Gevernor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making the Banking Board the Building and Loan Board and the Consumer Credit Board departmental administrative boards in the Department of Banking prescribing their powers and duties and abolishing the Board to License Private Bankers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15

Bane,	Holland,	Mallery,	Silvert,
Barr,	Lane,	McCreesh,	Weiner,
Chapman,	Leader,	Pechan,	Yosko,
Haluska,	Mahany,	Ruth,	

NAYS—24

Berger,	Harney,	McCusker,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Diehm,	Kessler,	Miller,	Watkins,
Fleming,	Kopriver, Jr.	Peelor,	Watson,
Freed,	Letzler,	Propert,	Wolfe,
Hare,	Madigan,	Taylor,	Walker, Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Financial Institutions transferring to it the powers and duties of the Department of Banking and the Insurance Department providing for a Secretary of Financial Institutions defining his powers and duties abolishing the Department of Banking and the Insurance Department conferring additional powers and imposing additional duties upon the Department of State.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. LANE. Senator Wade, Senate Bill No. 415, as I understand it, will merge the Insurance Commission with the Department of Banking. By the passage of this legislation, will the taxpayers of the Commonwealth be saved any money?

Mr. WADE. Mr. President, that is a difficult question to answer. I might state that the original Chesterman Report did not so state. However, the second printing, the bound copy, says that if the two departments were combined, it is estimated that a saving of approximately $80,000 a biennium would be realized. Although, it further states that a detailed survey of the Insurance Department was not made by the Survey Committee or any Task Force.

Mr. LANE. Mr. President, may I further interrogate the gentleman from Cumberland, Senator Wade?

The PRESIDING OFFICER. The gentleman will proceed.

Mr. LANE. Senator Wade, could you tell the Membership how long the Insurance Commission has been supervising the insurance industry in Pennsylvania?

Mr. WADE. Mr. President, for the gentleman's information, the Insurance Department was organized by an act of the Legislature in 1873. It became operative in 1874, eighty years ago.

Mr. LANE. Mr. President, may I further interrogate the gentleman from Cumberland, Senator Wade?

The PRESIDING OFFICER. The gentleman will proceed.

Mr. LANE. Could you tell the Membership the approximate amount of fees collected annually by the Insurance Commission?

Mr. WADE. Mr. President, for the information of the gentleman, may I state that the revenue collected directly by the Insurance Department for the last year was $1,011,589. For the last biennium, it was $1,773,685, but they also supervised and regulated the industry, which paid in taxes of $58,597,000 or a total of approximately $60,000,000.

Mr. LANE. Senator Wade, could you tell the Membership of the Senate as to whether or not the Insurance Commission stands on its own feet? In other words, does it pay its own way on the fees collected?

Mr. WADE. Mr. President, the answer to that is obvious. The appropriation to the department is $1,500,000, and the revenue from the industry which they regulate and supervise is $60,000,000. In other words, it is $1,500,000 appropriation; revenue, $60,000,000 aproximately.

Mr. LANE. Mr. President, I wish to thank the gentleman.

Mr. President, my reason for interrogating Senator Wade was to bring to the attention of the Membership of this Senate, and the public, that the enactment of this legislation, in my opinion, will no save the taxpayers of Pennsylvania a dollar. I feel that the Insurance Commission in Pennsylvania has been doing a splendid job over the years, and I urge the Members of the Senate on both sides to vote "no" on this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—8

Barr,	Holland,	McCreesh,	Weiner,
Dent,	Leader,	Silvert,	Yosko,

NAYS—31

Bane,	Hare,	Mahany,	Taylor,
Berger,	Harney,	Mallery,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Chapman,	Kessler,	Miller,	Watkins,
Diehm,	Kopriver, Jr.	Pechan,	Watson,
Fleming,	Lane,	Peelor,	Wolfe,
Freed,	Letzler,	Propert,	Walker,
Haluska,	Madigan,	Ruth,	Presiding Officer

Less than a Constitutional majority of all the Senators

having voted "aye," the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order, ...

The Senate proceeded to the third reading and consideration of Senate Bill No. 435, as follows:

An Act to add section 308 to the act approvad the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after section 307 thereof a new section to read as follows

Section 308 Adjustment for Costs of Improvements (a) Except as hereinafter provided whenever the boundaries of any townships have been altered and a portion thereof has been annexed by a borough or city the township shall be paid by such borough or city (1) the cost of all roads improved by the township within five years (2) the cost of sewer systems constructed by the township within fifteen years (3) value of public buildings and improvements other than roads and sewers located within the portion of the township so annexed The provisions of this section shall not apply to the cost of any road sewer or facilities which has been assessed against the real property within the annexed territory.

(b) The township shall not be reimbursed for any improvements the cost of which has been assessed against abutting property-owners

(c) If any present indebtedness of the township exists by reason of any improvements located in annexed area and a city of the third class assumes a portion of said indebtedness as provided in section 540 of the act known as "The Third Class City Code" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) or a borough assumes a portion of said indebtedness as provided in section 702 of the act known as "The Borough Code" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) such payment on account of indebtedness shall be considered to be a credit to such city of the third class or borough on account of the cost of said improvement

(d) When ever an amicable settlement cannot be made on the amount to be paid as provided in subsection (a) of this section the court of quarter sessions upon application of the governing body of the city borough or township shall determine the amount to be paid

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,
Haluska,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—0

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 485, as follows:

An Act to amend the title and reenact and further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first class and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by incorporating all past amendments and authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" is hereby amended to read as follows

An Act

Authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day

Section 2 Section 1 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 989) and the eleventh day of May one thousand nine hundred forty-nine (P. L. 1114) is hereby reenacted and further amended to read as follows

Section 1 Be it enacted &c That the respective authorities of the several cities of the first and second class and second class A and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart to each post of the Catholic War Veterans Inc and to each post of the Jewish War Veterans and to each organization of ex-service men incorporated under the laws of this Commonwealth in the respective cities or towns a sum not to exceed three hundred dollars to aid in defraying the expenses of Memorial Day Flag Day and Armistic Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,
Haluska,	Mallery,	Stevenson,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted, "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 117 CALLED UP

Mr. MAHANY. Mr. President, I call up from page 4 of the Calendar, Senate Bill No. 117, Printer's No. 154, which went over in its order temporarily, for consideration at this time.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 117, entitled:

An Act to amend section 608.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for physical examinations and certificates signifying passage thereof by school bus drivers.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "drivers": "and removing exemption of employes of persons or companies subject to jurisdiction of Pennsylvania Public Utility Commission"; Amend Sec. 1, (Sec. 608.1), page 4, line 18, by inserting after "examination": "[The provisions of this section shall not apply to operators employed by any person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission.]"; Amend Sec. 1, (Sec. 608.1), page 5, lines 1, 2, and 3, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

SECOND READING CALENDAR

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 51, on second reading, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 110, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 325, on second reading, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 133) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 419, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissiones defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Public Works transferring to it all the powers and duties of the Department of Highways and the State Planning Board all of the powers and duties of the Pennsylvania Aeronautics Commission except the inspection regulation and licensing of airports those powers and duties of the Department of Property and Supplies relating to the management and control construction and repair of all buildings owned or leased by the Commonwealth and those powers and duties of the Department of Internal Affairs relating to municipal and township development transferring the Board of Commissioners of Public Grounds and Buildings the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works providing for a Secretary of Public Works defining his powers and duties abolishing the Department of Highways the State Planning Board and the Pennsylvania Aeronautics Commission reconstituting the State Planning Board and advisory board within the Department of Public Works creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies and transferring appropriations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

A Supplement To the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 471, entitled:

An Act relating to counties of the second class amending revising consolidating and changing the laws relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 97, entitled:

An Act to prohibit acquisition of property and property rights by condemnation unti payment into court of a percentage of the damage admittedly due owners.

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act to amend the act, approved the ninth day of May, one thousand nine hundred forty-nine (P. L. 919), entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation; and providing procedures for transmission and settlement of certain moneys," by extending the provisions thereof to court ordered restitutions.

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records, documents and procedings of the United States Government, and of copies thereof, and extracts therfrom, and certificates in reference thereto," by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates, fares and charges, and supplements thereto, filed with the Interstate Commerce Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, the reason I am about to introduce these bills at this time is because they deal with adoption. I understand there is a public hearing next Tuesday and, therefore, I desire that these bills be introduced on behalf of Senator Taylor, Senator Barr, Senator McCusker and myself, in order that they may be given the full opportunity of being heard at the hearing next week.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT, TAYLOR, BARR and McCUSKER read in place and presented to the Chair Senate Bill No. 514, entitled:

An Act relating to adoption and adoption procedure in the juvenile and the orphans' courts; providing procedure for the voluntary relinquishment of children by parents to an approved public or private agency; providing procedure for obtaining a judicial decree of abandonment before a child is placed for adoption by an approved agency.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 515, entitled:

An Act relating to the placement for adoption of children under the age of eighteen years.

Which was committed to the Committee on Judiciary General.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, April 27, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:34 o'clock p. m., Eastern Standard Time, until Monday, April 27, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 21, 1953.

The House met at 2:00 p. m.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend Charles R. Miller, guest Chaplain, pastor of the Mont Alto Evangelical United Brethren Church and guest of the gentleman from Franklin County, Mr. Barkdoll, offered the following prayer:

Almighty God, Thou source of all power and wisdom, we pray Thy blessings upon our country and our Commealth. We pray especially for Thy blessing of wisdom and power and love to rest upon this body of representatives and upon each as individuals, that without fear or favor they may legislate to the well being of all our people and to the glory of Thy name; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, April 20, 1953?

Mr. HEIM. Mr. Speaker, I move that the approval of the Journal for Monday, April 20, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. STONER. HOUSE BILL No. 1146.

An Act to amend section seven hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth," by changing the penalty for the offense of aggravated assault and battery.

Referred to the Committee on Judiciary.

By Mr. STRAUSSER. HOUSE BILL No. 1147.

An Act to amend the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by further extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school emp oyes who served full time in the American Red Cross in behalf of any branch of the armed forces.

Referred to the Committee on Education.

By Mr. DUNN. HOUSE BILL No. 1148.

An Act to further amend Sections 613 and 713 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for an operators' license period of five years and changing the provisions relating to fees.

Referred to the Committee on Motor Vehicles.

By Mr. BOLTON. HOUSE BILL No. 1149.

An Act regulating the suspension, removal, furloughing and reinstatement of certain persons appointed and commissioned to preserve order or to perform other police activities at the Pennsylvania State Park at Erie, Washington Crossing Park and Valley Forge Park.

Referred to the Committee on State Government.

By Mr. LAFORE. HOUSE BILL No. 1150.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the provisions relating to the time for holding special elections for Representatives in Congress and Senators and Representatives in the General Assembly and for certifications by the Secretary of the Commonwealth to County Boards of Elections with respect to the nominees for certain offices to be filled at special elections and providing for the holding of special elections to fill vacancies in offices of political subdivisions, and for nominating candidates therefor.

Referred to the Committee on Elections and Apportionment.

By Mr. KOHL. HOUSE BILL No. 1151.

An Act to further amend Section 1007 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by changing requirement for passage of an ordinance or resolution by council composed of less than nine members after veto by the burgess.

Referred to the Committee on Boroughs.

By Mr. MOODY. HOUSE BILL No. 1152.

An Act to amend the title and section 1 of the act, approved the seventeenth day of May, one thousand nine

hundred forty-five (P. L. 624), entitled "An act requiring the recorder of deeds of every county, except counties of the second class, to report transfers of property to the commissioners of townships of the first class," by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

Referred to the Committee on Townships.

By Mr. MOODY. HOUSE BILL No. 1153.

An Act to further amend Article V of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing townships to provide for registration of real estate, prescribing the method of such registration, and imposing duties upon the township engineer, owners of real estate and sheriffs in regard to such registration, and imposing penalties.

Referred to the Committee on Townships.

By Mr. DAVIS. HOUSE BILL No. 1154.

An Act to amend Section 703 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by fixing fines and penalties in certain manslaughter cases.

Referred to the Committee on Judiciary.

By Mr. DAVIS. HOUSE BILL No. 1155.

An Act regulating the propagation of fur-bearing animals, providing for the granting of permits to propagate fur-bearing animals by the Department of Agriculture; imposing duties on the Secretary of Agriculture; requiring reports of transactions by holders of permits; providing for the disposition and removal of fur-bearing animals from fur farms; providing for permits to operate fur farms on certain marsh lands or water areas; fixing penalties; repealing inconsistent acts.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. HAUDENSHIELD and ROBERT K. HAMILTON. HOUSE BILL No. 1156.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania, known as "Old Economy."

Referred to the Committee on Appropriations.

By Mr. LAFORE. HOUSE BILL No. 1157.

An Act requiring the Governor of the Commonwealth to issue a proclamation setting apart the second Tuesday of April of each year as General H. H. Arnold Day.

Referred to the Committee on State Government.

By Messrs. JIM and McWHERTER. HOUSE BILL No. 1158.

An Act to further amend Section 108 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by including within the meaning of the term occupational disease, poisoning by ceramic or porcelain dust in occupations involving direct contact with, handling thereof, or exposure thereto.

Referred to the Committee on Workmen's Compensation.

By Mr. KELLER. HOUSE BILL No. 1159.

An Act to further amend subsection (a) of Section 921 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the membership of the county board of school directors in certain districts.

Referred to the Committee on Education.

By Mrs. MARKLEY and Messrs. SNIDER and HAUDENSHIELD. HOUSE BILL No. 1160.

An Act relating to the provision of child welfare services by counties and the city of Philadelphia and establishing welfare boards and child welfare advisory committees therefor; imposing powers and duties on such political subdivisions, their child welfare boards, and advisory committees, the Department of Welfare and the Civil Service Commission; providing for Commonwealth reimbursements on compliance with the provisions of this act for the administration of such services, including the employment of persons therefor on a merit system; making an appropriation and repealing inconsistent laws.

Referred to the Committee on Appropriations.

By Mr. BLAIR. HOUSE BILL No. 1161.

An Act to further amend clause (7) of Section 2401 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the appointment and election of auditors in districts resulting from merger of two or more districts; fixing the compensation of auditors in certain school districts.

Referred to the Committee on Education.

By Mr. BLAIR. HOUSE BILL No. 1162.

An Act to further amend subsection (b) of section 312 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for filling of vacancies in office of director of union or merged school district.

Referred to the Committee on Education.

By Mr. BLAIR. HOUSE BILL No. 1163.

An Act to further amend Section 312 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by validating elections of school direc-

tors in union and merged districts and validating certain actions of the boards thereof.

Referred to the Committee on Education.

By Mr. PRICE. HOUSE BILL No. 1164.

An Act relating to hospitals, and amending, revising, consolidating and changing the laws relating thereto.

Referred to the Committee on Public Health and Sanitation.

By Messrs. RUBIN, MATHEWS, MILLER and THOMPSON. HOUSE BILL No. 1165.

An Act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions, powers; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement; and imposing penalties.

Referred to the Committee on Labor Relation.

By Messrs. ZIEGLER, OGILVIE, MOODY and HOCKER. HOUSE BILL No. 1166.

An Act making real estate acquired by the Commonwealth or any agency thereof subject to local taxes in certain cases; providing for the payment of such taxes by the Commonwealth or the agency thereof and making an appropriation.

Referred to the Committee on State Government.

By Messrs. WILLIAM B. SMITH, STONE, and ROBERT K. HAMILTON. HOUSE BILL No. 1167.

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to erect and maintain a bridge over the Ohio River in Beaver County between a point in or near the borough of Midland on the west side of the Ohio River to a point in or near the borough of Shippingport on the opposite side of the Ohio River in the vicinity of the Shippinport Ferry, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages and making an appropriation.

Referred to the Committee on Highways.

By Messrs. CIOFFI and SEYLER.

HOUSE BILL No. 1168.

An Act to amend Section 2504 of the act, approved the tenth day of March, one thousand nine hundred forty-nine, (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by Increasing the amount of payments by the Commonwealth to school districts and vocational school districts for vocational agriculture and vocational industrial education.

Referred to the Committee on Education.

By Messrs. CIOFFI and SEYLER.

HOUSE BILL No. 1169.

An Act to further amend subdivision (a) of clause (3) of Section 1146 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing minimum salaries of teachers and supervisors in approved programs of vocational adult extension education.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 410.

An Act to amend subsection (e) of Section three of the act, approved the nineteenth day of March, one thousand nine hundred fifty-one (P. L. 28), entitled "An act relating to the civil defense of this State and its coordination with national defense; providing for the establishment of a State Council of Civil Defense local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts, and providing penalties," by establishing the State Council of Civil Defense a departmental administration board within the Department of Military Affairs.

Referred to the Committee on State Government.

SENATE BILL No. 411.

An Act to repeal the act approved the tenth day of May, one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws."

Referred to the Committee on State Government.

SENATE BILL No. 412.

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other Executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the Department of Commerce, and terminating the terms of its officers and employes.

Referred to the Committee on State Government.

SENATE BILL No. 422.

An Act to further amend sections seven and eight of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled,

as amended, "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists, except in cities of the first class and second class; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by increasing certain fees.

Referred to the Committee on Labor Relations.

SENATE BILL No. 423.

An Act to amend sections ten, fourteen and fifteen of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616), entitled "An act defining, regulating and providing for the licensing and registration of employment agents, and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties, and repealing existing laws," by increasing certain fees.

Referred to the Committee on Labor Relations.

SENATE BILL No. 424.

An Act to amend section nine of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by increasing certain fees.

Referred to the Committee on Labor Relations.

SENATE BILL No. 425.

An Act to further amend sections four, five and ten of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

Referred to the Committee on Labor Relations.

SENATE BILL No. 426.

An Act to further amend section three hundred five of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by increasing certain fees.

Referred to the Committee on Labor Relations.

SENATE BILL No. 427.

An Act to amend section five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

Referred to the Committee on Labor Relations.

SENATE BILL No. 428.

An Act to amend the act, approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," by increasing certain fees.

Referred to the Committee on Labor Relations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. FILO and BOIES RESOLUTION (Not Printed).

In the House of Representatives, April 20, 1953.

Munhall High School rifle teams, Mixed and Girls squads have captured the National Title for the second straight year, according to results released by the National Rifle Association in Washington, D. C.

In addition thereto, they won the State Championship in Dubois, Pennsylvania, and the final W.P.I.A.L. match of the season on the Oakmont range.

Munhall High School rifle teams have won State Titles ten times in twelve attempts, and in National competition have won fifteen National Titles, twice have won second honors, and once have taken third place.

The outstanding record of Munhall High School rifle teams over many years in the result of high individual excellence, a fine school spirit, and a community interest in school attainments.

This great and consistent achievement reflects credit not only on the Rifle Teams of Munhall High School, but shows that American youth can voluntarily achieve through self discipline and the desire to excel personally and for the benefit of the group, a greater degree of accomplishment than the limited ends to be achieved under the always planned activities of a regimented youth; therefore be it

Resolved, That this House of Representatives hereby extends its congratulations to the coach of the Munhall Rifle Teams, J. Solon Wilson, and to the individual members of the Girls and Mixed Rifle Teams of Munhall High School, as well as to the administrative officers faculty, and entire student body of that fine school, for their fine spirit and great work in producing teams which have earned and received sectional State and National honors.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 743.

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as fol'ows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 743.

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Represetntatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

Whereupon
The SPEAKER, in the presence of the House, signed the same.

STUDENTS OF MYERSTOWN BOROUGH SCHOOLS WELCOMED

The SPEAKER. We have with us today sixty-six seniors of the Myerstown Borough Schools, Lebanon County, under the supervision of their Supervising Principal, Mr. Harvey L. Nitrauer, Miss Mabel Immel, class advisor and Mr. Frederick Lantz, guidance instructor. They are the guests of the gentleman from Lebanon, Mr. Light.

ADVANCED REPORTING CLASS OF PENNSYLVANIA STATE COLLEGE WELCOMED

The SPEAKER. We also have with us today the advanced Reporting Class of Pennsylvania State College. They are under the supervision of the Professor of Journalism, Frederick B. Marbut. They are the guests of the gentleman from Centre, Mr. Frost.

SENIOR CLASS OF JERSEY SHORE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also happy to welcome to the Hall of the House a delegation of students from the senior class of the Jersey Shore High School, Lycoming County, under the supervision of their teachers, Mr. Max Cook and Mrs. Cook. They are the guests of the gentleman from Lycoming, Mr. Gleason.

STUDENTS OF WYOMISSING HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes to the Hall of the House a delegation of students from the Wyomissing High School, Berks County, under the supervision of their teachers, Miss Kloz and Mrs. Eyrich. They are the guests of the gentleman from Berks, Mr. Weidner.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 20, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 27, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, April 27, 1953 at three-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 43, 408 and 416.

REPORTS FROM COMMITTEES

Mr. GRAMLICH from the Committee on Cities—Third Class, reported as amended, House Bill No. 13, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the poll tax to a residence tax.

Mr. WILLIAM H. HAMILTON from the Committee on Cities—Counties First—Second and Second Class A, reported as amended, House Bill No. 133, entitled:

An Act to further amend section 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employes of the Bureau of Police in cities of the second class; providing a pension fund for said employees: and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by fixing and changing the amount of pension payment to beneficiaries.

Mr. BROWN from the Committee on Workmen's Compensation, reported as committed, House Bill No. 504, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Mr. VAUGHAN, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 705, entitled:

An Act to amend Clause (c) of Section 2411 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act pro-

viding for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by permitting the furnishing and erecting on Commonwealth property of certain prefabricated houses or custom-built houses without appointment of and contract with an architect and without approval of the State Art Commission.

Mr. BROWN, from the Committee on Cities—Third Class, reported as committed, House Bill No. 822, entitled:

An Act to amend sections 5 and 6 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," by increasing the amount of the contributions to be made by the officers and employes.

Mr. VARNER, from the Committee on Townships, reported as committed, House Bill No. 921, entitled:

An Act to further amend Section 1156 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending, revising, consolidating, and changing the law relating thereto," by further prescribing permit requirements and penalties for public utility working involving township roads; providing for payment of fees therefor into the township treasury and imposing duties of the supervisors.

Mr. LIPPINCOTT from the Committee on Townships, reported as committed, House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by regulating terms of persons appointed to offices of commissioner, treasurer or controller for unexpired terms.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, House Bill No. 1077, entitled:

An Act to amend Article XI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved.

Mr. GUTHRIE from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1101, entitled:

An Act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certicates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto.

Mr. AUKER from the Committe on Judiciary, reported as amended, Senate Bill No. 16, entitled:

An Act to amend Sections 31 and 32 of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427), entitled "An act to Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," by permitting the trial of cases of involuntary manslaughter in quarter sessions courts.

Mr. THOMPSON from the Committee on Cities—Counties—First—Second and Second Class A, reported as committed, Senate Bill No. 211, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (1951-52 P. L. 2182) entitled "An act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions" by extending the term of such commission until the end of the 1955 Session of the General Assembly

Mr. GRANVILLE E. JONES from the Committee on Public Health and Sanitation, re-reported as committed, House Bill No. 38, entitled:

An Act to further amend section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal sale dispensing or giving away of drugs.

ANNOUNCEMENT

The SPEAKER. At the sound of the Air Raid Alert at 2:35 p. m. today all Members and visitors including those in the gallery will proceed to the rear exit of the House and go down the stairway adjacent to the House elevator to the basement shelter area until the all-clear signal sounds, which will be at 2:41.

After the all-clear signal sounds the Republican Members are to proceed promptly to their Caucus Room and the Democratic Members will proceed to their Caucus Room promptly for caucus meetings.

The Chair at the sounding of the Air Raid Alert without objection will declare a recess for one hour.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 383, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (Pamphlet Laws 1206) entitled "An act concerning

townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 7, entitled:

An Act to amend Sections 3 and 4 of the act, approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1440) entitled "An act concerning notaries public and amending, revising, consolidating and changing the law relating thereto," by requiring notaries to be qualified electors.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of correction.

The motion was agreed to.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

STUDENTS FROM OLLENTOWN CENTRAL CATHOLIC HIGH SCHOOL WELCOMED

The Chair welcomes to the Hall of the House a delegation of students from the Allentown Central Catholic High School of Allentown, Pennsylvania. They are all seniors and members of the National honor society. The group is in charge of Sister Joseph Bernard and Sister Mary Bartholomew.

They are the guests of the Members from Lehigh, Mrs. Markley, Messrs. Stimmel and Van Sant.

Mr. SARRAF IN THE CHAIR.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection,

Senate Bill No. 9, Printer's No. 16 and

Senate Bill No. 76, Printer's No. 36,

were passed over at the request of the SPEAKER pro tempore.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 120, entitled:

An Act to reenact and amend the Title and Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled, as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen, firemen and park guards by counties, cities, boroughs, town and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by extending its provisions to cover some cases of diseases of the heart or tuberculosis of the respiratory system; and providing for payment in the case of disability for an extended period of time.

On the question,

Shall the bill pass finally?

Mr. WILBUR H. HAMILTON. Mr. Speaker, before making a motion to recommit this bill, I want to make a brief statement to certain officials of the city of Philadelphia who are closely affiliated with the present administration in the city, and I would like them to take notes very accurately.

I sponsored this bill at the request of policemen, firemen and park guards from all over the city of Philadelphia. They contacted me in writing, by telephone and in person because of a decision handed down by City Solicitor which provides for our uniformed men to be dismissed at the end of one year despite the fact that they might be injured or taken ill in the line of duty while protecting all the people of the city of Philadelphia.

During this current session we have heard a tremendous amount of propaganda regarding home rule in the city of Philadelphia. I would like to urge the leaders of the present administration in the city to really consider the heart of this bill very carefully and ask them to put home rule into effect and not throw to the wolves the policemen, firemen and park guards after one year of service; and those who are entitled to it and go the second mile keep them in a limited capacity as long as they are connected with these departments.

I would like to ask the representative of His Honor, the Mayor, and the representative of City Council and the City Solicitor to prove to the people of Philadelphia that they want to protect the guardians of our safety, not with mere promises and words but to take action. If in the event nothing is done prior to the adjournment of this Session of the Legislature, it is my plan to introduce another bill specifically for the cities and counties of the first class and to carry it through this House and the Senate and to urge His Excellency to sign the bill because I will know that it is sheer neglect on the part of leaders of the administration in the city of Philadelphia.

I do hope that they will show their good faith and endeavor to protect in a much better way than they have been doing during the past fifteen months the policemen, firemen and park guards.

BILL RECOMMITTED

Mr. Speaker, I move to recommit this bill to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 660, as follows:

An Act requiring that copies of bills introduced in the General Assembly be punctuated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Bills introduced in the General Assembly shall be printed with all punctuations that are on the original bill as introduced The Secretary of the Commonwealth shall not after any bill has been finally enacted into law make any changes in punctuation therein if such correction or change would in any manner affect or change the meaning intent or substance of such law

Section 2 The provisions of this act shall not be construed to repeal alter or amend Section 804 of The Administrative Code of 1929 nor any of the provisions of the Statutory Construction Act

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 908, Printer's No. 122 and
House Bill No. 909, Printer's No. 123

were passed over at the request of the SPEAKER pro tempore.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 194, as follows:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for mandatory revocation of hunting and trapping rights

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 434) is hereby further amended to read as follows

Section 731 Penalties Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

* * * * *

(q) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession or attempting to hunt for catch take kill wound or transport contrary to this article or regulations adopted thereunder by the commission or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer one hundred dollars In addition the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of three years

III Each bear two hundred dollars In addition the person convicted shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of five years

IV Each wild turkey ruffed grouse pheasant quail partridge or woodcock twenty-five dollars

V Each raccoon twenty-five dollars

VI Each other wild bird or wild animal ten dollars

* * * * *

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 290 as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

Section one of article nine is hereby amended to read as follows

Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may by general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines and the General Assembly may by general laws set upon standards and qualifications for private forest reserves and make special provisions for the taxation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 343, Printer's No. 128,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 590, as follows:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four million forty thousand dollars ($4,040,000) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred fifty-three The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the date and in the manner set forth in the following schedule

Date of Payment	Principal	Interest	Total
September 1, 1953	$1,940,000.00	$40,000.00	$1,980,000.00
October 1, 1953 ..	.....	40,000.00	40,000.00
April 1, 1954	.....	40,000.00	40,000.00
October 1, 1954 ..	1,940,000.00	40,000.00	1,980,000.00
Totals	$3,880,000.00	$160,000.00	$4,040,000.00

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 626, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where informations charging violations of summary provisions of said act may be brought

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of subsection (c) of section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated

towns and townships within the Comonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1996) is hereby further amended to read as follows

Section 607 Size of Vehicles and Load

* * * * *

(c) No tractor except fire department equipment shall exceed a total maximum length incduding load thereon of [three hundred and ninety-six (396)] four hundred and twenty (420) inches and no combination of two (2) vehicles inclusive of load couple together shall exceed a total maximum length of fifty (50) feet excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet

Section 2 Section 701 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L 815) is hereby further amended to read as follows

Section 701 Limitation of Actions

(a) Information charging violations of any of the summary provisions of this act shall be brought before a magistrate within the city borough incorporated town or township in the county where the alleged violation occurred within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall be discovered Where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city incorporated town or township in the county within the same period of time as above provided in this subsection

(b) Where the offense committed is designated a misdemeanor information may be filed as now provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—98

Andrews,	Frost,	Lippincott,	Stevenson,
Ashton,	Geer,	Maguire,	Stimmel,
Barkdoll,	Gibson,	Mahan,	Stoner,
Bear,	Gleason,	Markley,	Strausser,
Blair,	Goodling,	Mathews,	Sucher,
Bolton,	Gramlich,	McCormack,	Thompson,
Bower,	Guss,	McCullough,	Tompkins,
Breisch,	Guthrie,	McGee,	Toomey,
Brown,	Hall,	McInroy,	VanSant,
Buchanan,	Hamilton, W. H.,	Miller,	Varallo,
Bullen,	Haudenshield,	Moscrip,	Vaughan,
Clapper,	Helm,	Naugle,	Verona,
Connelly,	Hewitt,	Parlante,	Wall,
Conner,	Johnson,	Phillips,	Waterhouse,
Cooper,	Jones, T. H. W.,	Price,	Weidner,
Coyle,	Jump,	Quisenberry,	Wescott,
Davis,	Keller,	Ragot,	Whalley,
Dougherty,	Kent,	Reagan,	Willaredt,
Down,	Kerlin,	Richter,	Wilt,
DuBois,	Kohl,	Royer,	Wood,
Dunn,	Kratz,	Rubin,	Worley,
Ewing,	Kromer,	Schmidt,	Yeakel,
Ferster,	Lafore,	Scott,	Young,
Flack,	Leisey,	Shotwell,	Smith, C. C.,
Fleischman,	Light,	Spencer,	Speaker

NAYS—79

Auker,	Hoggard,	Mihm,	Schwartz,
Banker,	Ide,	Moody,	Seyler,
Baumunk,	Jenkins,	Moran,	Smith, W. B.,
Bazin,	Jim,	Muldowney,	Snider,
Boies,	Jones, Geo. E.,	Munley,	Stank,
Breth,	Jones, Gran'le E.,	Murray, J. J.,	Stone,
Bucchin,	Jones, Paul F.,	Musto,	Thomas,
Capano,	Kamyk,	Needham,	Toll,
Cioffi,	Kolankiewicz,	Ogilvie,	Varner,
Comer,	Kubacki,	Olsen,	Wallace,
Erb,	Lederer,	Peifly,	Walsh,
Farabaugh,	Leonard,	Petrosky,	Wargo,
Fenrich,	Leven,	Pfaff,	Welsh,
Filo,	Limper,	Polaski,	White,
Floyd,	Lopresti,	Polen,	Whitenight,
Flynn,	Lovett,	Readinger,	Williams,
Glick,	Lutty,	Reidenbach,	Yetzer,
Hamilton, R. K.,	McCann,	Rovansek,	Zeitz,
Harris,	McDermit,	Sarraf,	Ziegler,
Hocker,	McWherter,	Schuster,	

NOT VOTING—30

Adam,	Downey,	Metz,	Pettigrew,
Alexander,	Greenwood,	Mikula,	Poltenstein,
Amarando,	Gutendorf,	Mills,	Rosen,
Bomberger,	Hersch,	Monroe,	Shoemaker,
Boory,	Kline,	Moore,	Taylor,
Cianfrani,	Kornick,	Murray, P. G.,	Watkins,
Cochran,	Maxwell,	Peta,	Wheeler,
Curwood,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 663 Printer's No. 131

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 670 as follows:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No motor boat of more than ten horsepower shall be operated on Canadohta Lake in Crawford County

Section 2 Any person violating the provisions of this act shall upon summary conviction be sentenced to pay a fine of not more than fifty dollars ($50) and costs of prosecution or in default of the payment thereof to undergo imprisonment for not more than twenty (20) days

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ERB. I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Crawford Mr. Kent, permit himself to be interrogated?

Mr. KENT. I shall, Mr. Speaker.

Mr. ERB. I would like to ask the sponsor how large is this lake?

Mr. KENT. Mr. Speaker, I do not know exactly how large it is. From the best information I have, it is about a mile and a quarter square.

Mr. ERB. Mr. Speaker, I would like to ask the reason why the gentleman want to cut down to ten horsepower on these motor boats?

Mr. KENT. Mr. Speaker, for a very simple reason. I understand from the people who have properties on the lake there are a couple twenty-five horsepower motors in the hands of minors, "hot rods" on the lake up there, and they have created a nuisance. They had a couple of very close calls where somebody could have been very badly hurt.

This bill was introduced at the request of some of the people who own properties and stay on Canadohta Lake.

Mr. ERB. Other than that cause, Mr. Speaker, I would like to ask the gentleman if this is to prohibit boats, that have high powered motors to do fishing, to prohibit them or prevent them from fishing on this lake? Because I feel this way, a lot of people have more than ten horsepower boats and now they will have to do away with these boats in that territory.

Mr. KENT. Mr. Speaker, to the best of my knowledge this would affect about three or four people who have motors of probably twenty-five horsepower.

Of course the fishing will be much better in Canadohta Lake if they get rid of those high speed boats. I do not believe you fish out of a twenty-five horsepowered boat.

Mr. ERB. Mr. Speaker, I feel this bill is a discrimination according to my way of thinking to people who love to fish, who have already purchased high horsepowered motors, and I do not see that it will do any harm. Because today you are raising the motor power of boats, high speed boats, like automobiles, and everything else to go faster. I feel this matter should have been left to the people back home to buy and place on their boats more than ten horsepower.

Therefore I am going to vote against this bill.

Mr. KENT. Mr. Speaker, the only thing I would like to say in reply to the gentleman is that the situation at Canadohta Lake was brought to the attention of the gentleman from Allegheny, Mr. Haudenshield, and myself. The bill was introduced at the request of people on Canadohta Lake in order to limit the horsepower of boats on Canadohta Lake, due to its size, the nuisance it was causing and the danger it is creating to other users of that lake.

It is not going to affect any body except people who live on Canadohta Lake. I do not know whether there is anybody here, outside of maybe the gentleman from Erie, Mr. Waterhouse, who has a place there or goes down there, but I would ask the Members to vote for the bill.

Mr. ANDREWS. Mr. Speaker, this is a good bill, a very good bill and I yield to the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, this bill is essentially a safety measure. There are speed limits on the highways regulating the speed at which vehicles may travel in the interest of the traveling public to protect life and property.

On a small lake such as Canadohta there are a great many cottages, a great many pleasure loving people out for recreation. There are also a great many children who go out in row boats, canoes, and smaller boats.

Unfortunately there is no law now in the Commonwealth which effectively prevents anyone with a super high powered boat from exercising the full speed and power of his boat on such lakes as Canadohta. When he does so it creates tremendous waves and I would not want one of my kids out in a row boat or other small boat trying to cope with the wave caused by a twenty-five horsepower speed boat operated by a fellow out maybe just trying to have fun.

That is the point of this bill entirely. It is a safety measure. I intend to vote for the bill. I think it is a good bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gleason,	Maxwell,	Schwartz,
Alexander,	Glick,	McCann,	Scott,
Amarando,	Goodling,	McCormack,	Seyler,
Andrews,	Gramlich,	McCullough,	Shoemaker,
Ashton,	Greenwood,	McDermit,	Shotwell,
Auker,	Guss,	McGee,	Smith, W. B.,
Banker,	Gutendorf,	McInroy,	Snider,
Barkdoll,	Guthrie,	McWherter,	Spencer,
Baumunk,	Hall,	Metz,	Stank,
Bazin,	Hamilton, R. K.,	Mihm,	Stevenson,
Bear,	Hamilton, W. H.,	Mikula,	Stimmel,
Blair,	Harris,	Miller,	Stone,
Boies,	Haudenshield,	Mills,	Stoner,
Bolton,	Helm,	Monroe,	Strausser,
Bomberger,	Hersch,	Moody,	Sucher,
Boory,	Hewitt,	Moore,	Taylor,
Bower,	Hocker,	Moran,	Thomas,
Breisch,	Hoggard,	Moscrip,	Thompson,
Breth,	Jenkins,	Muldowney,	Toll,
Brown,	Jim,	Munley,	Tompkins,
Bucchin,	Johnson,	Murray, J. J.,	Toomey,
Buchanan,	Jones, Geo E.,	Murray, P. G.,	VanSant,
Bullen,	Jones, Gran'le E.,	Musto,	Varallo,
Capano,	Jones, Paul F.,	Naugle,	Varner,
Cianfrani,	Jones, T. H. W.,	Needham,	Vaughan,
Cioffi,	Jump,	Ogilvie,	Verona,
Clapper,	Kamyk,	Olsen,	Wall,
Cochran,	Keller,	Parlante,	Wallace,
Comer,	Kent,	Peifly,	Walsh,
Connelly,	Kerlin,	Peta,	Wargo,
Conner,	Kline,	Petrosky,	Waterhouse,
Cooper,	Kohl,	Pettigrew,	Watkins,
Coyle,	Kolankiewicz,	Pfaff,	Weidner,
Curwood,	Kornick,	Phillips,	Welsh,
Davis,	Kratz,	Polaski,	Wescott,
Dougherty,	Kromer,	Polen,	Whalley,
Down,	Kubacki,	Poltenstein,	Wheeler,
Downey,	Lafore,	Price,	White,
DuBois,	Lederer,	Quisenberry,	Whitenight,
Dunn,	Leisey,	Ragot,	Willaredt,
Ewing,	Leonard,	Readinger,	Williams,
Farabaugh,	Leven,	Reagan,	Wilt,
Fenrich,	Light,	Reidenbach,	Wood,
Ferster,	Limper,	Richter,	Worley,
Filo,	Lippincott,	Rosen,	Yeakel,
Flack,	Lopresti,	Rovansek,	Yetzer,
Fleischman,	Lovett,	Rover,	Young,
Floyd,	Lutty,	Rubin,	Zeitz,
Flynn,	Maguire,	Sarraf,	Ziegler,
Frost,	Mahan,	Schmidt,	Smith, C. C., Speaker
Geer,	Markley,	Schuster,	
Gibson,	Mathews,		

NAYS—2

Erb, Ide,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 688, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section (b) of section 411 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the tenth day of August one thousand nine hundred fifty-nine (P. L. 1200) is hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards

* * * * *

(b) When transfer of registration plates is made from one motor vehicle trailer or semi-trailer to another owned by the same person or [ownership of] when transfer of registration plates issued for a motor vehicle trailer or semi-trailer [is transferred from a husband to his wife or from a wife to her husband or from either to both jointly or from both jointly to either husband or wife] owned by a husband or wife or jointly is made from one motor vehicle trailer or semi-trailer to another owned by either husband or wife or jointly application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification then that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class Such application shall also be accompanied by the owner's registration card or the registration card of the husband or wife or husband and wife making such transfer

* * * * *

Section 2 Subsection (d) of section 506 of said act is hereby repealed

Section 3 Section 507 of said act as amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) is hereby further amended to read as follows

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner or when transfer of registration plates issued for a motor vehicle trailer or semi-trailer owned by a husband or wife or jointly is made from one motor vehicle trailer or semi-trailer to another owned by either husband or wife or jointly the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,

Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 747, entitled:

An Act repealing Section 11 of the act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 665) entitled "An act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county boards of elections courts and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities and imposing penalties" in so far as it relates to Fairmount Park and its Commissioners

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCORMACK. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities-Counties—First—Second and Second Class A for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. WILBUR H. HAMILTON. Mr. Speaker, again I would like to direct my remarks to the leaders of the new administration of the city of Philadelphia who have urged that this bill not be recommitted but defeated.

The SPEAKER. The gentleman is requested to confine his remarks to the motion to recommit the bill.

Mr. WILBUR H. HAMILTON. I will be very specific on that subject, Mr. Speaker.

I would like to direct my remarks to the leaders of the new administration of the city of Philadelphia who, according to reports in the public press, have apparently worked out a satisfactory agreement in reference to the provisions of this bill with some of the most distinguished citizens in our city who were elected to the Fairmount Park Commission or the Board of Judges who were elected by the people.

One of the leaders of the Fairmount Park Commission is the Honorable John B. Kelley, who in my opinion is one of our outstanding citizens, a great Philadelphian and who is interested in Philadelphia. If His Honor, the Mayor, is in accord with the wishes of the citizens who are serving on the Fairmount Park Commission, I believe it is perfectly satisfactory to recommit this bill for further study.

I would like to make a personal remark for the benefit of the representatives of the administration and the citizens on the Park Commission, that there are 18 park guards who have served faithfully and well on the Park Commission.

Due to some quirk in the legal technicalities of the city charter, those 18 men might lose their jobs. I understand quite a few of those men are veterans; they served in the second World War, and they should be permitted to remain in their positions because some of them have been connected with the Park Commission for seven and eight years, and have done their jobs. I hope the members of the Park Commission will retain these men because they have earned the positions.

The City Solicitor of Philadelphia has handed down different kinds of decisions pertaining to the Houme Rule Charter, and I am sure that the eminent attorney should be able to direct the Personnel Director of the City of Philadelphia, Frank Escovito who was from Sacramento, California, and give him some idea of how these 18 guards can be retained. If in the event anything happens to those men as far as their positions are concerned—

Mr. ANDREWS. Mr. Speaker—

Mr. WILBUR H. HAMILTON. Mr. Speaker, I am sticking to the subject and I am coming to it in a moment.

POINT OF ORDER

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. I raise the point of order that the gentleman is not confining his remarks to the motion to recommit, in conformity with the spirit of the Rule. He is instead making a studied and insulting political speech. It invites controversy over a motion upon which we are in agreement, and I ask the Chair to rule upon the point of order.

The SPEAKER. The Chair admonishes the gentleman from Philadelphia to confine his remarks to the motion to recommit.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I will. None of my remarks are offensive. They are factual. I would never insult anyone on this floor. If I did that, Iwould rather do it in person.

I would like to say to the distinguished Minority Leader that a 20th century miracle is about to occur because all the Members from Philadelphia, as far as I know, are in favor of the recommitment, but I cannot see any objection to emphasizing the fact that the provisions of this bill should be carried out in the agreement that has been arranged by the mayor and the citizens on the Fairmount Park Commission. I am perfectly wi'ling to recommit the bill if those facts are taken into consideration and without any insults, I assure the Minority Leader.

Mr. KRATZ. Mr. Speaker. We in Montgomery County have no interest in a fight such as this between Philadelphians, be they Democrats or Republicans, but we do

have a very definite interest in Fairmount Park. Fairmount Park, as you know, was authorized by the General Assembly of Pennsylvania. The Board of Judges of Philadelphia, I believe, appoint the Commissioners of the Park.

While the Park was operated as a separate entity by Philadelphia, we had nothing to fear, but Fairmount Park comes out into Montgomery County. There is a large section of it under the jurisdiction of the Fairmount Park Commissioners and certain additional commissioners for what is known as Fort Washington Park. That Park also goes down into Delaware County, and we are somewhat apprehensive of having the City Council of Philadelphia have jurisdiction over a part of Montgomery County.

If a bill of this type cannot come on the floor for debate and for voting action, then we will be forced by necessity to introduce a bill to divorce that part of Fairmount Park now in Montgomery County from the city of Philadelphia. We, too, believe in home rule, we think we can rule Montgomery County a whole lot better than the city of Philadelphia can, and we will be forced to work to that end.

On the question recurring,
Will the House agree to the motion?
It was agreed to.

BILLS PASSED OVER

There being no objection
House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96
House Bill No. 814, Printer's No. 97
House Bill No. 815, Printer's No. 98
House Bill No. 816, Printer's No. 99
House Bill No. 817, Printer's No. 100
House Bill No. 818, Printer's No. 101 and
House Bill No. 819, Printer's No. 102
were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 823, as follows:

An Act to amend section 1 of the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 620) entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate or interest in real estate unless a certificate is attached to said instruments giving the precise residence of the grantee or grantees named therein and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of real estate" by requiring the certificate of the grantees to contain their complete post office address

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 620) entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate or interest in real estate unless a certificate is attached to said instrument giving the precise residence of the grantee or grantees named therein and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of real estate" is hereby amended to read as follows

Section 1 Be it enacted &c That for the purpose of obtaining with accuracy the precise residence of all owners of real estate and persons having a taxable interest therein it shall be the duty of the recorder of deeds in each county whenever a deed or other transfer of real estate or interest in real estate hereafter executed shall be presented to him for record to refuse the same unless the grantee or grantees therein named have attached thereto and made part of such deed or transfer a certificate signed by said grantee or grantees or some one on his her or their behalf setting forth the precise residence and the complete post office address of such grantee or grantees said certificate to be recorded with said deed and thereupon the said recorder shall prepare and deliver at stated intervals to the board of revision of taxes or other official or officials charged with the assessment of such real estate a list of the real estate or interest in real estate as transferred with the location of the same and the names of the grantor or grantors and the names and residences of the grantee or grantees with the date of recording

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Ashton,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Ciapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker
Gibson,	Markley,	Schuster,	

NAYS—1

Auker,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 883, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definitions of the words "clearance lamps" "parking lamps" and "signal lamps" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) are hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Clearance Lamps" A lamp or lamps so arranged to show white [green] or amber to the front and red to the rear

* * * * *

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white [green] or amber to the front and red to the rear

"Signal Lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red [green] or yellow to the rear as a cautionary signal

Section 2 Subsection (i) of Section 801 of the act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 801 Required Lighting Equipment

* * * * *

(i) Lights on Parked Motors Vehicles Whenever a motor vehicle is parked or stopped upon a highway or shoulder adjacent thereto whether attended or unattended during the time when lights are required by this section may in lieu of the lighting equipment specified show one (1) white or [green] amber light carried on the left side of the motor vehicle visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of such vehicle and projecting a red light visible under like conditions from a distance of five hundred (500) feet to the rear Provided That local authorities may by ordinance establish zones within which motor vehicles may remain standing without lights Any lighted head lamps upon a parked vehicle shall be depressed or dimmed

[Provided That nothing contained in this section shall make unlawful the use of lamps displaying a green light where this section provides for lamps displaying an amber light before the first day of January one thousand nine hundred thirty-eight]

Section 3 Subsection (g) of Section 802.4 of said act as amended by the act approved the thirieth day of June one thousand nine hundred fifty-one (P. L. 963) is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Granle E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,

Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 889 Printer's No. 136

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 893 as follows:

An Act to further amend clause 2 of subsection (b) and subsection (d) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the restrictions as to speed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause 2 of subsection (b) and subsection (d) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * * *

2 Fifteen (15) miles an hour speed limit

All vehicles except those restricted by this act to lower maximum speeds when passing a school [building] zone during school recess or while children are going to or leaving school during opening or closing hours

* * * * *

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than two (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (1/8) of a mile in length Under all other conditions the rate of speed shall be timed for a distance of not less than one quarter (¼) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted [for accuracy] and found or made accurate and the date thereof [and the degree of accuracy of such speedometer after adjustment] shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section

(2) The secretary shall have the authority to appoint official stations for testing speedometers and may prescribe regulations as to the manner in which such tests shall be made and shall issue to such stations official inspection certificate forms

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 895 as follows:

An Act to further amend section 1004 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting driving on the wrong side of a divided highway

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1004 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 1004 Drive on Right Side of Highway Upon all highways of sufficient width except upon one way streets the driver of a vehicle shall drive the same upon the right half of the highway and shall drive as closely as possible to the right-hand edge or curb of such highway unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing set forth in this act Provided however That the provisions of this section shall not apply to ridden animals of the National Guard or of the Regular Army of the United States of America when actually engaged in training or maneuvers Upon all highways which are divided either physically or by proper markings the driver of a vehicle shall not drive the same against the direction of traffic

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I would like to ask the sponsor of this bill to explain the bill.

The SPEAKER. Will all the sponsors permit themseves to be interrogated?

Mr. VARNER. Mr. Speaker, I would like to defer to the Chairman of the Committee on Motor Vehicles, Mr. Guthrie.

The SPEAKER. The gentleman yields to the gentleman from Armstrong, Mr. Guthrie. Will the gentleman permit himself to be interrogated?

Mr. GUTHRIE. Mr. Speaker, I shall.

Mr. MORAN. Mr. Speaker, will the gentleman explain what this bill does or what is the purpose of the bill.

Mr. GUTHRIE. Mr. Speaker, this bill has to do with a four lane highway which is separated by considerable space. In other words, the highways do not run directly parallel with each other.

If the gentleman is familiar with Route 22 coming down Cresson Mountain, I might use that as an example. Under the present law, you can drive an automobile up the left highway so long as the keep on the right hand side of the highway and you would not be in violation of the law. All this measure does is to make it illegal to go up on the wrong side of a divided highway. There are several places in Pennsylvania where they have this particular type of highway—they do not run exactly parallel with each other.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman a further question. Is it not now a law that you shall not drive on the wrong side of the road?

Mr. GUTHRIE. Mr. Speaker, under this present condition the driver would be on the right hand side of the road. It would be a two lane highway. However, it is one way traffic on the right hand parallel and it is the other way traffic on the left hand parallel—however, it is a two lane highway. Under the present law you could move on the left hand highway so long as you stayed on the right hand side of that particular lane. It is a little hard to explain, but it is a condition that exists in about three different places in Pennsylvania.

Mr. MORAN. That is all, Mr. Speaker. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins.
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1007, as follows:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" is hereby amended to read as follows

Section 2 That when the record in any criminal case shall have been removed by writ of certiorari or otherwise to [the Supreme Court] any appellate court of this Commonwealth or to any appellate court of the United States for review and shall have been therein disposed of the necessary expenses of the district attorney in connection therewith including a reasonable compensation for his services to be fixed by the court in addition to the regular fee now allowed him by law for trying the case in the lower court shall be paid by the proper county and the costs of the officers including the costs of the justice of the peace and constable and all cases of wife desertion and surety of the peace shall be chargeable to and paid by the proper county as soon as the case is disposed of by the order of the court and it shall be the duty of the district attorney and county commissioners to use all due diligence to collect the costs in every case mentioned in this act from the party made liable therefor by the sentence or order of the court and to pay the same into the county treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, as follows:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1217 Liability for Costs Not Paid by Defendant Whenever any officer whose duty it is to enforce the laws of this State protecting game furbearing animals and protected birds shall in good faith bring suit for any violation of such laws and for any legal cause shall fail to recover the costs of record to which he is legally entitled such costs shall [be a charge upon the proper county and shall be audited and paid as are costs of like character in said county] be paid by the Pennsylvania Game Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C., Speaker
Geer,		Schmidt,	

NAYS—1

Lovett,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1079, as follows:

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 315 Revocation of Licenses Right to Hunt or Trap Denied

* * * * *

(6) Any person whose license has been revoked by the commission for any of the aforesaid offenses [pursuant to a hearing before a referee of the commission] shall have the right to file a petition within thirty (30) days after being notified of such revocation for a review of the matter in the court of common p'eas of [Dauphin County which court is] the county of legal residence of the licensee in the case of resident and in the court of common pleas of Dauphin County in the case of a non-resident which courts are hereby vested with jurisdiction and whose duty it shall be to set the matter down for hearing upon thirty (30) days written notice to the director and to determine whether the petitioner is subject to revocation of license The commission when such appeal is taken shall fi'e with the prothonotary a certified record of the complete proceedings in the matter including a certified excerpt of the resolution of the commission The matter sha'l be heard de novo by a judge or judges of the court without a jury [and the proceedings before the commission and its referee conducting the investigation shall be given similar weight force and effect as are accorded to the findings and reports of a referee selected or appointed under the provisions of the act approved the fourteenth day of May one thousand eight hundred and seventy-four entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" and its supplements]

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as fol'ows:

YEAS—206

Adam,	Gibson,	Mathews,	Schwartz,
Alexander,	Gleason,	Maxwell,	Scott,
Amarando,	Glick,	McCann,	Seyler,
Andrews,	Goodling,	McCormack,	Shoemaker,
Ashton,	Gramlich,	McCullough,	Shotwell,
Auker,	Greenwood,	McDermit,	Smith, W. B.,
Banker,	Guss,	McGee,	Snider,
Barkdoll,	Gutendorf,	McInroy,	Spencer,
Baumunk,	Guthrie,	McWherter,	Stank,
Bazin,	Hall,	Metz,	Stevenson,
Bear,	Hamilton, R. K.,	Mihm,	Stimmel,
Blair,	Hamilton, W. H.,	Mikula,	Stone,
Boies,	Harris,	Miller,	Stoner,
Bolton,	Haudenshield,	Mills,	Strausser,
Bomberger,	Helm,	Monroe,	Sucher,
Boory,	Hersch,	Moody,	Taylor,
Bower,	Hewitt,	Moore,	Thomas,
Breisch,	Hocker,	Moran,	Thompson,
Breth,	Hoggard,	Moscrip,	Toll,
Brown,	Ide,	Muldowney,	Tompkins,
Bucchin,	Jenkins,	Munley,	Toomey,
Buchanan,	Jim,	Murray, J. J.,	VanSant,
Bullen,	Johnson,	Murray, P. G.,	Varallo,
Capano,	Jones, Geo. E.,	Musto,	Varner,
Cianfrani,	Jones, Gran'le E.	Naugle,	Vaughan,
Cioffi,	Jones, Paul F.,	Needham,	Verona,
Clapper,	Jones, T. H. W.,	Ogilvie,	Wall,
Cochran,	Jump,	Olsen,	Wallace,
Comer.	Kamyk,	Parlante,	Walsh,
Connelly,	Keller,	Peifly,	Wargo,
Conner,	Kent,	Peta,	Waterhouse,
Cooper,	Kerlin,	Petrosky,	Watkins,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Light,	Richter,	Yeakel,
Filo,	Limper,	Rosen,	Yetzer,
Flack,	Lippincott,	Rovansek,	Young,
Fleischman,	Lopresti,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,	Schuster,	

NAYS—1..

Lovett,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Sarraf for presiding.

REMARKS EXTENDED ON RECORD

Mr. TOMPKINS asked and obtained unanimous consent to incorporate a communication in the record without reading it:

April 20, 1953.

Honorable C. A. French
Executive Director
Pennsylvania Fish Commission
Harrisburg, Pennsylvania

Dear Mr. French:

This will acknowledge receipt of your letter of April 9, 1953, wherein you state:

"After you appeared before the meeting of the Commission on Monday, April 6, 1953,, they discussed at length the new setup in the state and it was unanimously voted that the new set up would be kept as is in the North-Central Division.

"I did explain to you in a former letter that additional changes would be made in other sections of the state as the new program develops and the Commission wanted me to again state this fact to you."

Under date of February 26, 1953, I wrote to you:

"Under the proposed new setup of wardens districts, how many of these men is it proposed will have to move from their present locations to new quarters?"

Under date of March 3, 1953, you replied:

"At the present time two (2) wardens are moving from their present locations, and I am informed there will be others required to move their headquarters, as the new program developes."

Under date of March 5, 1953, I wrote to you:

"How do you reconcile your information of two (2) wardens moving from their present locations with four (4) that I already know about? Who are the two (2) wardens you refer to and what do their moves consist of? Just how many wardens is it proposed to move under the new proposed set up?"

Under date of March 11, 1953, you replied:

"In my letter of March Third, I stated that, at the present time, two (2) wardens were moving from their present location. I did not mention the four (4) who had already moved, as I am certain you already knew about these.

"The new warden setup has been put into effect in the entire state. The two (2) moves mentioned in my letter of March 3, involved the transfer of headquarters from Oil City to Franklin in Venango County, and from Bowmanstown to East Mauch Chunk in Carbon County.

"As explained to you in my March Third letter also, there will be additional moves in the state."

The new warden setup has been put into effect in the entire state. There will be additional changes. What kind of double talk is this?

Late in March, 1953, after the exchange of the above correspondence, (with the exception of your letter of April 9), I received the March 1953, "Pennsylvania Angler", official publication of the Pennsylvania Fish Commission.

I challenge you or any member, officer or employee of the Pennsylvania Fish Commission to point out to me on page 16 and 17 of said issue in the article, "Reassignment of Pennsylvania Fish Wardens", where it is stated, indicated or intimated that there are, will be, or is even proposed, any further changes in the warden setup.

While you were stringing me along with one story you were doing and acting just the exact opposite. While you were writing and telling me one thing, you well knew or should have known of the story that was coming out in the "Angler" for public consumption, diametrically opposed. Is this the kind of governmental integrity we are entitled to expect from the Pennsylvania Fish Commission?

Let it be emphatically known at this point that I am not raising the issue to force the relocation of any other wardens in the state. I raise the issue to determine the justice and justification of the relocation of four (4) wardens in the North-Central Division. I certainly would not want any warden relocated under the circumstances or for the purposes they have been in the North-Central Division.

The March Issue of the "Pennsylvania Angler" disclosed another amazing fact, to wit:

Comparing an official warden list dated September 1, 1952 together with addresses and telephone numbers with the list published on page 17, I find:

1. The wardens in Venango and Carbon Counties published on page 17 do not appear on the September 1, 1952 list. These are new men. New locations were established with new men, not new locations with old men. One half of the story you never disclosed in the "Angler", nor to me.

2. This therefore leaves the four (4) men in the North-Central Division as the only ones in the entire state required to move from their former locations. You leave me with but one conclusion, to wit: That three (3) of these men are expendable, if necessary, in order to squeeze out the fourth man.

In the case of one of these four, the one we allege you are trying to squeeze out of the service, it will be necessary that he sell his home, and his wife quit teaching school. In his new location he would be expected to get along on the same salary as before. Recommendations from you as to how this can be accomplished will be greatly appreciated.

In the case of another, he would be required to move back to a community he was authorized by the Commission within the past year to leave, because it was financially impossible for him to survive in said community. Apparently the human element means nothing to the Fish Commission.

In the case of another when it was found that his new district still embraced his old home, his district was reset to within four miles of his old home so that he could not return to his old home without violating regulations of the Commission.

In the case of one who was not moved, it is interesting to note that he is a long time hunting and fishing pal of one of the Commisisoners. It is also to be noted about this same warden that he is located in the heart of the Leidy Gas Field. As a side line, he is engaged in gas leasing and operations. His new fish warden territory however, it is to be noted, was expanded westward and southward to take in the new Driftwood Gas Field. Shades of mink coats and deep-freezers!

3. Cameron County, in the heart of the trout fishing of the state, and which has enjoyed a resident fish warden for the past 12 years, has had the resident warden eliminated and the county divided among three other wardens, with no clear cut division of their territories according to the way they have been operating.

As to the economy to be effected in the North-Central Division, your actual figures for warden expense for the year 1952 was $15,418.64. Your budgeted figures for the year 1953 are $15,200.00 plus $600.00 reserve for emergencies and contingencies. This sounds to me like economy in reverse, and smacks of reasons other than economy or efficiency for the moves in the North-Central Division; and more especially so when you tell me that the new warden setup is based upon the number of miles of streams stocked by the Pennsylvania Fish Commission and not on the miles of fishable waters which have heretofore been patroled. For example, in Cameron County 98 miles are stocked but more than 250 miles are fishable.

The directors of the Federated Sportsmens' Clubs of the state recently called upon you about this problem. When the officials of the Commission were unable to justify their position, you then saw fit to use a private letter to a third person, which by some devious method turned up in your hands, to sidetrack further legitimate inquiry by the directors, and to smear one man. Why?

When I asked you at the meeting of the Commission on April 6, if such a letter was used, you and one of the Commissioners refused to state, because you said it would be violating a confidence. I ask, what confidence? And whose confidence? I checked this matter with one of the directors over the last week-end and he verified that you and one of the Commissioners did use such a letter. You did not tell the writer of the letter that you had it, or that you were going to use it. You thought nothing of violating the confidence of this letter when you showed it to the Directors? Yet it was too confidential to admit to me. Why? Were you afraid that I would lay before the Commission confidential information I have in my possession, and that the Commission would really find out the truth about what some of the field force and others think and say about the Fish Commission? Were you and are you afraid that you would find out the truth about some of your field force?

I challenge you to call these same directors back to your office and permit them to hear the man whose

confidence you violated, and to hear all the facts in the warden relocations?

You have attempted to squeeze one man out of the service by the relocation device. A man who saw fit to perform his duties as a warden. Until this happened I could not believe that an agency of government would try to squeeze a person out of service for the performance of duties which the law clearly imposes upon that person?

Very truly yours,
Edwin W. Tompkins

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, it had been our intention to offer a motion to discharge the Committee from the custody of one of the enabling rent control bills in its possesion. On more mature thought, it has occurred to us that perhaps the Committee needs a little more time to study that particular type of legislation and the need for it.

We have therefore decided to delay action until next week upon this paritcular matter.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, since the Minority Leader yesterday called this particular problem to my attention I have done some inquiring, and it is true that rent control on a federal basis will soon expire.

I understand that the President has requested Congress to extend rent control. I hope between now and next week to have some answer as to the likelihood of the National Congress putting through a rent control extension act. If we find they are not going to do that, serious consideration will be given to rent control legislation.

REPORTS FROM COMMITTEES

Mr. RICHTER from the Committee on Cities—Counties First Second and Second Class A, reported as amended, House Bill No. 330, entitled:

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; creating a board for the management thereof; providing the mode and manner of payment to beneficiaries, and for the care and disposition of its funds; and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created," by changing the amounts of payments to beneficiaries.

Mr. BEAR from the Committee on Welfare, reported as committed House Bill No. 352, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by further regulating the confinement of juveniles under eighteen years of age.

Mr. BOLTON from the Commitee on Townships, reported as committed, House Bill No. 953, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by changing the provisions thereof relating to public parks, playgrounds and other recreation places and facilities, and park and recreation boards.

Mr. ZIEGLER from the Committee on Judiciary, reported as committed, House Bill No. 1078, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age, or to aid, abet, entice, or encourage such children in the commission of any crime, or to assist or encourage such children in violating a parole or order of court; prescribing penalties.

Mr. CAPANO from the Committee on Judiciary, reported as committed, Senate Bill No. 207, entitled:

An Act authorizing suits against the Commonwealth in actions involving title to land or interests real.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 47.

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts

HOUSE BILL No. 485.

An Act to amend the title and reenact and further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by incorporating all past amendments and authorizing said political subdivisions to appropritae money to certain veterans organizations for expenses of Flag Day

With the information that the Senate has passed the same without amendment.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. LIPPINCOTT asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

RESOLUTION

CONDOLENCE

Messrs. HAUDENSHIELD, THOMPSON, COOPER and EWING offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 21, 1953.

On Saturday, April 18, 1952 Judge W. Herber Ditrich, one of Pennsylvania's truly outstanding jurists, died at his home in Allegheny County.

Judge Ditrich was elevated to the superior court in 1944 after serving nearly fourteen years on the Common Pleas Court of Allegheny County.

Prior to the beginning of his judicial career, Judge Ditrich served four years as county solicitor of Allegheny County and two years as first assistant United States attorney.

The members of the General Assembly are particularly proud that he was a member of the House of Representatives from 1917 to 1921. In his last term he served as chairman of the judiciary general committee.

After graduating from Mercersburg Academy, Washington and Jefferson College, and the University of Pittsburgh School of Law, he was admitted to the bar of Allgheny County and of the supreme court. He interrupted his private affairs twice to serve his country, serving as a first lieutenant of cavalry on the Mexican border and during the first World War.

Judge Ditrich was a director of the Coraopolis National Bank and the Ohio Valley Trust Company. He was a member of the Twenty-eighth Division Society, American Legion, Sons of Union Veterans, the Ecclesiastical Court of the Pittsburgh Episcopal Diocese, the Round Table Conference of Christians and Jews, the Mercersburg Academy Board of Regents, Masonic orders, Elks, Eagles, Phi Delta Theta, Phi Delta Phi, the Allegheny Country Club and the Duquesne Club.

The outstanding feature of Judge Ditrich's career is the fine reputation as an able jurist he earned during his tenure on the bench. Judges and lawyers, and others who follow the decisions of our appellate courts, are unanimous in their acclaim of him. He has frequently been described as exceptionally well fitted for a high judicial post, therefore be it

Resolved (if the Senate concurs) That the members of the General Assembly pay tribute to the memory of Judge W. Heber Ditrich, and on behalf of the people of Pennsylvania express our gratitude for his long and distinguished service to his State, and be it further

Resolved, That we extend our deepest and most sincere sympathy to his beloved wife and family in their hour of great loss, and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Lois Ditrich, his widow, at Fleming Street, Coraopolis, Pennsylvania.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WILLIAM B. SMITH asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, the resolution that I offer deals with human lives. We in our county have a bad piece of road approximately one mile long. Every official in Beaver County, labor unions and people of any importance have tried in every way to have something done to eliminate the hazard on this highway.

Aliquippa serves approximately 45,000 people—the town itself consists of approximately 30,000 people, but people traveling to and from Aliquippa for shopping and going to work must cover this piece of road. In 1949 one of the buses leaving town and going to Pittsburgh along this highway met with a disaster that took the lives of 24 of the 25 people riding this bus.

Since that time we have had quite a few slides, large and small. Last Sunday night while preparing to come down here I received a telephone call from the Chamber of Commerce telling me that we would not be able to go through there due to the largest rock fall that we have ever had. The road is tied up now, and I have some pictures here of the debris that came down onto that road.

One of these buses was held up for about five minutes as I understand it, for passengers that had called the station. That is the only reason this bus with approximately 20 people on it was not caught in this slide.

The pictures will show you that the bus was close enough to the slide that certain parts of the slide compelled the bus to be tied up. However, the bus was not damaged and nobody was hurt.

As I understand it everybody in Beaver County of any importance has tried without any success to have something done about this piece of road. Different organizations have gone to the Highway Department. We have been referred from pillar to post. The last time we were sent back to the Highway Department engineer in the city of Pittsburgh. He has been down there two or three times, and as I see the picture they feel that money is more important than human lives. Something should be done. That is the reason I offer this resolution and I would like the Members of this House, whether Republican or Democrat, to support it so that we can have something done down there, because while I am talking to you here now, a member of somebody's family might be crushed by a rock fall.

I might say every time I go to Ambridge with my family or by myself, if it is possible, I travel to the far side of this highway so that if a rock fall does come down, I will be as far away from it as I possibly can be and possibly instead of being crushed, I will be shoved over the hillside. Therefore, I ask your help in trying to eliminate this hazard.

The SPEAKER. For the information of the gentleman, this is not a privileged resolution and will be filed with the Clerk under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to say to the House that we do have this Rule that non-privileged resolutions will be filed with the Clerk.

We have been very lenient on both sides of the House, shall we say, in permitting non-privileged resolutions to be read. We have been lenient in permitting speeches to be made when a resolution is about to be introduced. The purpose of the rule is to prevent bogging down a busy session. I realize that we have been going at a slow pace this session and, therefore, we have been lenient and gracious about these various matters.

I am saying this not to admonish anybody, but when we finally get into high gear and are about to wind up our proceedings we hope that speeches on non-privileged resolutions and matters of that kind will be kept at a minimum.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, while I am in general agreement with the statements of the Majority Leader, I must call his and the Chair's attention to the fact that when a resolution proposes a specific action upon the part of this House, there should be a provision in the Rule that gives it privilege.

There is a difference between a general resolution congratulating somebody who is not a Member of the House and never has been, and a resolution which submits a definite problem to the attention of the House. If the Rules do not now provide that such resolutions are entitled to the attention of the House, then there should either be a reinterpretation of the Rule or an expansion of the Rule.

I am not inclined to raise my question at this time, but I do suggest that the Chair and the Parliamentarian give consideration to the fact that certain resolutions not now classed as privileged, should be privileged, because they present definite problems for the consideration of this House.

The SPEAKER. For the information of the gentleman, the present Rule provides that all non-privileged resolutions be filed with the Clerk and then referred to a Committee and printed for information of Members of the House.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Will this resolution be printed for the information of the Committee and the information of the Members?

The SPEAKER. In answer to the gentleman's parliamentary inquiry, this resolution will be printed.

Mr. ANDREWS. Mr. Speaker, and will it brought to the attention of the Rules Committee?

The SPEAKER. It will be brought to the attention of the Rules Committee under the present Rule.

Mr. ANDREWS. Thank you, Mr. Speaker.

As far as the other type of resolution, congratulating the most prosperous farmer in the county and paying tribute to the most beauteous teacher and the generally spreading goo around the local horizon, I am quite in agreement that that type of resolution is not entitled to the immediate consideration either of this House or the immediate consideration of the Committee and the Members should cooperate with the Chair, cooperate with the leadership and not ask that resolutions that do not present any business or any problem to the attention of the House be not read and be not commented on at length.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. POLASKI asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. SCHMIDT asked and obtained unanimous consent ot add additional sponsors to a resolution to be introduced by him.

RESOLUTION

CONGRATULATIONS

Messrs. SCHMIDT, WILT, EWING, COOPER, HAUDENSHIELD, GEER, THOMPSON and VAUGHAN offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Rpresentatives, April 21, 1953.

Weheras, The Honorable F. Garret Richter and his wife, Bettie became the happy parents of a third child named Penny Anne Richter, on Saturday, April 18, 1953; and

Whereas, Mr. Richter and his wife, Bettie, with their two other children, Pattie Lynne, aged six and one-half years and Gary, aged two and one-half years have formed an exemplary family group which has been richly enhanced; therefore be it

Resolved, That this House of Representatives hereby extends its heartfelt and sincere congratulations to the Honorable F. Garret Richter and Mrs. Richter on the birth of their third child.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Richter.

Mr. RICHTER. Mr. Speaker, I want very much to thank my colleague and neighbor from Allegheny, Mr. Schmidt, for introducing this resolution along with the other cosponsors. I also want to thank the House for passing it.

The little girl's name is Penny Anne. The Penny we call her, which is rather indicative of her father's bank balance at the present. I hope she grows up with a lot of "cents."

So again I thank you all. Mrs. Richter thanks you and Penny thanks you.

The SPEAKER. While the gentleman is handing out cigars, the Chair would inform him that the Minority Leader does not smoke cigars, and any good brand of tobacco would suffice.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BOLTON asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is pleased to present to the House a former Member who served here for many years, the gentleman from Indiana, Honorable William R. McMillen.

The Chair is also pleased to welcome another former Member of the House from Somerset County, Honorable Frank A. Orban.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence, Nos. 215, 304, 324, 326, 349, 354 and 435.

COMMITTEE MEETINGS

HIGHWAYS—Mr. Royer, Chairman, immediately at the close of the Session today, Room 329.

EDUCATION—Mr. Helm, Chairman, immediately at the close of the Session today, Room 324.

ADJOURNMENT

Mr. MAHAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 22, 1953 at 10:00 A.M.

The motion was agreed to, and (at 5:22 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., WEDNESDAY, APRIL 22, 1953. No. 31.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 22, 1953

The House met at 10:00 o'clock a. m..

Time.

The SPEAKER (Charles C Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, our Father in heaven, we consecrate ourselves anew to Thee. Grant us loyalty and gladness in Thy service. Fill us with the spirit of reverence and humility. Keep us in solemn remembrance that we are Thy children and in Thy presence; and make us faithful in duty and worthier of Thy love; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, April 21, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, April 21, be postponed until the Journal is in print.

The motion was agreed to.

PERMISSION TO INTERROGATE

Mr. LOVETT asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman, the Majority Leader, if he has heard anything about that filibuster down in Washington on the tide oil lands.

Mr. JOHNSON. Mr. Speaker, no, I have not. I have not heard anything about it. I have kept my eye on the Harrisburg scene.

Mr. LOVETT. Mr. Speaker, has the gentleman noticed anything in the paper about it?

Mr. JOHNSON. Mr. Speaker, yes, I have read it in the paper.

Mr. LOVETT. Mr. Speaker, has the gentleman heard it over the radio?

Mr. JOHNSON. Mr. Speaker, personally, I just look at televison.

Mr. LOVETT. Mr. Speaker, may I further ask the gentleman if he could tell me just how much money the state of Pennsylvania would get if we got a little slice of that for the lamps of learning in Pennsylvania. We seem to need a lot of money here. I thought maybe we could do something about this.

Mr. JOHNSON. Mr. Speaker, I have not any idea. It would probably run up to 40 billion.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that that would be at least some help to us?

Mr. JOHNSON. Mr. Speaker, naturally, oil for the lamps of education would be fine, that is right.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not know how brief my remarks will be. Sometimes when I get started I forget about the clock. We do not seem to be going anywhere or doing anything, so it would not matter if I made a speech for an hour or two, would it?

I want to say that since the gentleman has stated possibly $40 million or was it billion, it might be a good idea if we wrote letters down to Washington while this filibuster is going on. Maybe we could do something about getting a little revenue to help the state of Pennsylvania.

On the other hand, I want to say that we seem to be wasting a lot of time. A joint resolution passed the Senate back about one month ago, within days, that would give us the right of a regular session of the Legislature every year. I do not think there can be any changes made in that particular resolution. We already have passed it at one other session of the Legislature. It is my understanding that if it passes now, it will go to a vote of the people. I am very much interested in that legislation and I do not know why we are wasting our time when we at least could be acting upon that type of legislation which is in the hands of our Committee in the House at this particular time and has been for sometime.

They sometimes accuse the minority of not helping in our problems today. I want to assure you that I, myself—and I think my colleagues over here—are only too glad to help in any way in order to solve this problem and get it over with.

This regular session of the Legislature, to my mind, would be a big help. We do a lot of talking about a broad-base tax for the state of Pennsylvania. To my knowledge the labor organizations almost in toto have come out in favor of a graduated income tax.

I do not know what we are fooling around about. I do not know why we at least do not pass the amendment to the Constitution giving the people the right to vote

upon wheher or not the Legislature shall enact a graduated income tax.

As I said before, we have wasted a lot of time. The Joint State Government Commission, to my mind, has recommended such legislation. Everybody seems to be in favor of that, but the Legislature just does not do anything about it.

Now I think that it is time that we do get together, the Republicans and the Democrats, and get that particular type of legislation out of the Committee, on to the floor, get it passed and get the Governor to sign it, and give the people the right to vote on it. Our problems then will be solved. We can have a nice broad-base tax. Everybody will be happy. The Legislature will be able to do its job. The services of the state will not be neglected. Our schools will be taken care of. Everything will be lovely.

So, let's be fair, Members, go to work and do something about this problem, today. We have lots of time.

BILLS INTRODUCED AND REFERRED

By Messrs. WELSH and BUCCHIN.

HOUSE BILL No. 1170.

An Act to further amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by eliminating residence requirements for individuals, partnerships and associations and for officers, directors and stockholders of corporations that may be licensed as malt and brewed beverage manufacturers.

Referred to the Committee on Liquor Control.

By Messrs. GLICK and WILBUR H. HAMILTON.

HOUSE BILL No. 1171.

An Act prohibiting the pactice of mesmerism or hypnosis; and providing penalties.

Referred to the Committee on Law and Order.

By Messrs. LEISEY and ASHTON.

HOUSE BILL No. 1172.

An Act to further amend Section 2001 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

Referred to the Committee on Townships.

By Mrs. MARKLEY and Mr. HELM.

HOUSE BILL No. 1173.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled, "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the duties and powers of county superintendents; changing the manner of electing district superintendents; instituting an Advisory Council of School Administrators and prescribing their powers and duties; and providing for the "in-service training" of teachers.

Referred to the Committee on Education.

By Mr. McInroy.

HOUSE BILL No. 1174.

An Act to amend subsection (a) of Section 461 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by including clubs in determination of license quota.

Referred to the Committee on Liquor Control.

By Mr. KENT.

HOUSE BILL No. 1175.

An Act to further amend Section 802 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing ambulances to be equipped with two spot lamps.

Referred to the Committee on Motor Vehicles.

By Messrs. GRANVILLE E. JONES and LEVEN.

HOUSE BILL No. 1176.

An Act to add Section 801.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the opera-

tors thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" by requiring all vehicles to display to the rear, a red luminous tape or paint strip.

Referred to the Committee on Motor Vehicles.

By Messrs. POLASKI and POLEN.

HOUSE BILL No. 1177.

An Act to amend the act, approved the tenth day of March, on thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for the suspension and retention of professional employes.

Referred to the Committee on Education.

By Mr. DOWNEY. HOUSE BILL No. 1178.

An Act to add Section 438 to the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by permitting claimant to appear before the board or any referee, either with or without an attorney at law.

Referred to the Committee on Workmen's Compensation.

By Mr. KERLIN. HOUSE BILL No. 1179.

An Act to provide an additional manner of taking the affidavit now required by law to be taken in cases of certiorari from aldermen and justices of the peace.

Referred to the Committee on Judiciary.

By Messrs. GLICK and HERSCH.

HOUSE BILL No. 1180.

An Act to prohibit the possession or obtaining of explosive substances by persons with criminal records, for unlawful purposes; and providing penalties.

Referred to the Committee on Law and Order.

By Messrs. POLEN, FLYNN and McCANN.

HOUSE BILL No. 1181.

An Act to further amend Section 611 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the secretary of a county association of township supervisors to be elected as a delegate to the State Association Meeting.

Referred to the Committee on Townships.

By Mr. HERSCH. HOUSE BILL No. 1182.

An Act to further amend the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by providing for an additional method of reviving liens of taxes by filing suggestion of non-payment and averment of default.

Referred to the Committee on Municipal Corporations.

By Mr. GEER. HOUSE BILL No. 1183.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further regulating the financing of water supply through taxation, bond issues and charges upon benefited properties.

Referred to the Committee on Townships.

By Messrs. VAUGHN and RICHTER.

HOUSE BILL No. 1184.

An Act to further amend the third paragraph of Section 1 of Article III of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by fixing maximum hours of services for patrolmen.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. LIPPINCOTT, WEIDNER, and WOOD.

HOUSE BILL No. 1185.

An Act to repeal Article XIX and Section 2507 and to amend Section 2510 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by abolishing the provisions relating to extension education and the State reimbursements therefor.

Referred to the Committee on Education.

By Messrs. LIPPINCOTT, WEIDNER, and WOOD.

HOUSE BILL No. 1186.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions, applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by making free extension education discretionary with the boards of school directors and discontinuing State reimbursements therefor.

Referred to the Committee on Education.

By Mr. ZIEGLER. HOUSE BILL No. 1187.

An Act to amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the

penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title, bulk sales and security interests.

Referred to the Committee on Judiciary.

By Mr. ZIEGLER. HOUSE BILL No. 1188.

An Act ot further amend Section 3 of the act, approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 468), entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by changing the provisions concerning the registration or transfer of securities to or by nominees of fiduciaries.

Referred to the Committee on Judiciary.

By Messrs. POLASKI, WHITENIGHT, DOWNEY and KOLANKIEWICZ. HOUSE BILL No. 1189.

An Act providing a cost of living increase for certain persons eligible to receive public assistance.

Referred to the Committee on Welfare.

By Messrs. PETROSKY, MILLS, THOMAS H. W. JONES and BOLTON. HOUSE BILL No. 1190.

An Act establishing average maximum time limits on the Pennsylvania Turnpike; imposing duties and certain expenses upon the commission; authorizing toll collectors to make arrests for certain speed violations; making toll tickets admissible as evidence of time limit violations.

Referred to the Committee on Motor Vehicles.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 43.

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureau and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 215.

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenaces of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by further providing for the administration of the fiscal affairs of the county institution districts; regulating the making of contracts and purchases; authorizing such districts to take by gift, grant, devise, or bequest money and property in trust; and conferring powers and imposing duties on county commissioners, county treasurers, county controllers and county auditors.

Referred to the Committee on Welfare.

SENATE BILL No. 304.

An Act to further amend Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonweath for loss or damage arising out of policies of insurance surety or idemnity on property persons or insurable business interests within this Commonwealth to be licensed by the Insurance Commissioner requiring partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interests and providing penalties" by further regulating the licensing and conditions for transaction of such business.

Referred to the Committee on Insurance.

SENATE BILL No. 324.

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers.

Referred to the Committee on Judiciary.

SENATE BILL No. 326.

An Act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class singly or jointly prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate public auditoriums to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities empowering such Authorities to enter into contracts leases and licenses with and to accept grants from private sources the Federal Government State political subdivisions of the State or any agency thereof authorizing the making of said grants from bond funds or current revenues authorizing Authorities to collect rentals admissions license fees for the use of the project exempting the property and securities of such Public Auditorium Authorities from taxation

Referred to the Committee on Cities—Counties—First —Second and Second Class A.

SENATE BILL No. 349.

An Act to further amend the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to

members and their beneficiaries from funds collected, and regulating such benefits and collections providing for the organization and incorporation of such socieites and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by further regulating contracts and funds of such societies.

Referred to the Committee on Insurance.

SENATE BILL No. 354.

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

Referred to the Committee on Judiciary.

SENATE BILL No. 408.

An Act to further amend Section 4 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance.

Referred to the Committee on Welfare.

SENATE BILL No. 416.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the powers and duties of the Department of Health, Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 435.

An Act to add section 308 to the act, approved the first day of May, one thousand nine hundred thirty three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township.

Referred to the Committee on Townships.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. FILO. (Concurrent) RESOLUTION No. 49.

In the House of Representatives, April 21, 1953.

The Presidential propensity toward the ancient and honorable game of golf has brought anguish to the hearts of his fellow Pennsylvanians.

The anguish occassioned is of a two-fold nature, the first is the fear of injury to our President while enroute to the more distant golf courses. The second is that Pennsylvania possesses some of the most difficult and most beautiful golf courses in the world and that the President could lessen the mental anguish upon his fellow Pennsylvanians and the entire nation by traveling the shorter distance to Pennsylvania, where he could enjoy golf at its finest, and, also afford our country clubs the honor of saying, "Ike shot a three under par here, now, therefore be it

Resolved, (if the Senate concur), That the House of Representatives, on behalf of the fine country clubs in Pennsylvania, extend a hearty invitation to President Eisenhower to continue his pursuit of this honorable game in the state of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. WILLIAM B. SMITH, ROBERT K. HAMILTON and STONER. RESOLUTION No. 50.

In the House of Representatives, April 21, 1953.

Constitution Boulevard between the Ambridge Bridge and Alliquippa, due to tremendous rock slides constitutes a great peril to the life and limb to many residents of the surrounding area and other persons using it for vehicular traffic.

In 1949 a bus was engulfed by a horrifying rock slide and twenty-four of its passengers were killed on this boulevard.

Many rock slides have occurred since that time on this stretch of boulevard, the greatest and most terrifying having occurred last Sunday, at which time another bus, slightly behind schedule missed involvement in another great tragedy which would have been as great as the 1949 catastrophe if the bus would have been on schedule.

Among the regular users of this stretch of boulevard are approximately twenty-five percent of the employes of the Aliquippa Works of the Jones and Laughin Steel Company. Other regular users of the boulevard are great numbers of persons going to the great shopping center of Aliquippa and the large numbers of persons who enter the Warrendale interchange of the Pennsylvania Turnpike.

The correction of the perilous conditions on this boulevard is of great concern to all persons residing in the sur-

rounding area, and the local labor unions, the chamber of commerce, the Beaver County Planning Commission, and all local officials have recognized the horrible condition now prevalent and are greatly concerned with their correction.

The Pennsylvania Department of Highways has refused to act despite the great danger involved for so great a number of people, on the basis of the expense involved. To continue this lack of affirmative action by proper State authorities in view of the tremendous danger to motorists who must use this boulevard would be a sad and fearful neglect of official duty; therefore be it

Resolved, That the Department of Highways shall take immediate steps to stop this constant danger to life and limb on the Constitution Boulevard between Ambridge Bridge and Aliquippa and protect the innocent users of that boulevard from sudden and horrible death when engulfed by the terrifying rock slides constantly occurring on that boulevard.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows.

House Bill No. 47.

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts.

House Bill No. 485.

An Act to amend the title and reenact and further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by incorporating all past amendments and authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

WOMEN'S DEMOCRATIC COUNCIL WELCOMED

The SPEAKER. The Chair is happy to have present in the House this morning the Women's Democratic Council of Berks County, with their president, Mrs. Ralph Mengel. They are the guests of the Democratic Members from Berks County.

REPORTS FROM COMMITTEES

Mr. KELLER, from the Committee on Education, reported as amended, House Bill No. 57, entitled:

An Act to add Section 709 to the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing school districts to lease unused and unnecessary lands and buildings.

Mr. WEIDNER, from the Committee on Education, reported as committed, House Bill No. 278, entitled:

An Act to repeal Section 683, 684, and 685 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for the appointment of a tax collector in certain cases.

Mr. FERSTER, from the Committee on Education, reported as amended, House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring regular courses of instruction in constitutional law and government in public, private and parochial schools.

Mr. SEYLER, from the Committee on Education, reported as committed, House Bill No. 780, entitled:

An Act to amend Article V of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers.

Mr. WOOD from the Committee on Education, reported as committed, House Bill No. 902, entitled:

An Act to further amend Section 2502 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions ap plicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting supplemental payments by the Commonwealth on account of pupils in joint schools or in union or merged districts to districts of the third and fourth class.

Mr. WESCOTT from the Committee on Education, reported as amended, House Bill No. 903, entitled:

An Act to further amend subsection 2 of section 12 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributors by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by granting credit for prior service after retirement for superannuation and providing for the payment thereof.

Mr. WESCOTT from the Committee on Education, reported as amended, House Bill No. 904, entitled:

An Act to further amend clause (c) of subsection 5 of section 13, of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the

manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, alowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by increasing the allowances for disability retirement.

Mr. WESCOTT from the Committee on Education, reported as committed, House Bill No. 905, entitled:

An Act to further amend paragraph 6 of section 8 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing beneficiaries who are disability annuitants to change from the one one-hundred sixtieth (1/160) class to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

Mr. WOOD from the Committee on Education, reported as committed, House Bill No. 1062, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising consolidating and changing the laws relating thereto," by renumbering the second Section 1372.1 and by providing for transportation of mentally handicapped children to and from day care training centers provided by the Department of Public Instruction for such children.

Mr. WOOD from the Committee on Education, reported as committed, House Bill No. 1108, entitled:

An Act to amend clause (3) of Section 5 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries;" by removing the five year financial experience requirement as to obligations of authorities constructing public school buildings.

Mr. VAN SANT from the Committee on Highways, reported as committed, Senate Bill No. 21, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 13, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 133, entitled:

An Act to further amend section 14 of the act approved the twenty-second day o fMay one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employes and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payment to beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 330, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and maner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the amounts of payments to beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 352, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 504, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act to amend Clause (c) of Section 2411 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting the furnishing and erecting on Commonwealth property of certain prefabricated houses or custom-built houses without appointment of and contract with an architect and without approval of the State Art Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 822, entitled:

An Act to amend sections 5 and 6 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by increasing the amount of the contributions to be made by the officers and employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 921, entitled:

An Act to further amend section 1156 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further prescribing permit requirements and penalties for public utility working involving township roads providing for payment of fees therefor into the township treasury and imposing duties on the supervisors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1077, entitled:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1078, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1101, entitled:

An Act providing for the administration of a state wide system of vital statistics prescribing the functions

of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' courts physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 16, entitled:

An Act to amend Sections 31 and 32 of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 427) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and pleadings" by permitting the trial of cases of involuntary manslaughter in quarter sessions courts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 207, entitled:

An Act authorizing suits against the Commonwealth in actions involving title to land or interests real.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 211, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (1951-52 P. L. 2182), entitled "An act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions," by extending the term of such commission until the end of the 1955 Session of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection,
House Bill No. 9, Printer's No. 16 and
Senate Bill No. 76, Printer's No. 36
were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,
House Bill No. 908, Printer's No. 122 and
House Bill No. 909, Printer's No. 123
were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,
House Bill No. 38, Printer's No. 54 and
House Bill No. 343, Printer's No. 128
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 383, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses XXIV and LI of section 1502 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * * *

XXIV Markets Market Houses and Peddling To regulate markets and peddling whether for individual use or for resale to provide and enforce regulations for markets and market houses whether for individual use or for sale or resale and to acquire and own ground for and to erect establish and maintain market houses and market places for which latter purposes parts of any streets highways or sidewalks may be temporarily used as specified by the township commissioners to contract with any person firm or corporation for the erection maintenance and regulation of market houses and market places on such terms and conditions and in such manner as the board of commissioners may prescribe to provide for the payment of the cost and expense of providing markets and market houses either in whole or in part from township funds and to levy and collect a license tax from every person who may be authorized to occupy any portion of said market houses or places

* * * * *

LI Purchase and Planting of Trees To accept purchase and plant or contribute to the purchase and planting of shade trees and shrubs along the streets highways and sidewalks of the township and to expend township moneys for such purpose

Section 2 Section 1502 of said act is hereby amended by adding at the end thereof a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * * *

LVII Street Sewer Sidewalk Etc Regulations To regulate the streets sewers public squares common grounds sidewalks curbs gutters culverts and drains and the heights grades widths slopes and construction thereof and to grant rights therein for the installation of public utilities in said streets

Section 3 Sections 1901 1907 1908 1909 1910 1914 1916 1917 the title of Article XX the title of Subarticle (a) of Article XX section 2001 the title of Subarticle (b) of Article XX sections 2005 2008 2011 2035 2040 the title of Subarticle (h) of Article XX sections 2050 2052 the title of Subarticle (i) of Article XX sections 2060 2065 2067 the title of Subarticle (k) of Article XX section 2070

the title of Subarticle (1) of Article XX sections 2078 2080 2081 2088 the title of Subarticle (g) of Article XXI sections 2130 2411 the title of Subarticle (d) of Article XXIV sections 3023 3061 3065 subsections (a) (b) and (h) of section 3066 and section 3202 of said act as last reenacted and amended or added by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 1901 Exercise of Eminent Domain In the laying out opening widening extending vacating grading or changing the grades or lines of streets or highways the construction of bridges and the piers and abutments therefor the construction of slopes embankments and sewers including storm water drains the erection and extension of waterworks wharves and docks public buildings public works lands and places for the disposal of ashes and other refuse materials garbage treatment works and libraries the establishing of parks playgrounds and recreation places the changing of watercourses and for all other purposes authorized by this act a township of the first class may enter upon appropriate injure or destroy private lands property and material

Section 1907 Right to Damages The right to damages against townships is given to all owners or tenants of lands property or material abutting on or through which pass streets or highways injured by the laying out opening widening vacating extending or grading of such streets or the changing of the grades or lines thereof by such townships the construction and the vacation by such townships of bridges and piers abutments and approaches therefor and the construction by such townships of sewers over upon or through such lands or property and in all other cases where the power of eminent domain is exercised by a township and property is taken injured or destroyed

Section 1908 Viewers' Report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work street or highway or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1909 Plans of Properties Condemned to Be Furnished to Viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the township taking injuring or destroying land or property for said purpose shall furnish the jury of view with a correct plan of all land or properties affected showing all bulidings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all streets or highways running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land or property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section 1910 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street highway or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (herein designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 1914 Competency of Evidence as to Market Value of Land or Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the element of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street or highway to take into consideration as one of the elements of advantage or disadvantage the cost of street improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

Section 1916 Appeals in Eminent Domain Proceedings Payment of Money Into Court In all cases of damages assessed against any township for land or property taken injured or destroyed by the construction or enlargement of their works streets highways or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court and an appeal is not provided for an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of the party appellant or of the agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for the township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 1917 Title Acquired In all cases where land or property is acquired in eminent domain proceedings other than for street or highway purposes or is acquired by gift purchase or otherwise the title obtained by the township shall be in fee simple Provided That in particular instances a different title may by agreement be acquired

Article XX
Street and Highways

(a) Plans of Streets and Highways

Section 2001 Every township shall have a general plan of its streets and highways including those which have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township and all subdivisions of property thereafter made shall conform thereto No streets or parts thereof laid out or accepted and confirmed on such plan shall afterwards be altered without the consent of the commissioners of the township No plan or plot of streets shall be entered in any public office of the county until approved by the board of township commissioners No person shall be entitled to recover any damages for any improvement placed or constructed within the lines of any street or highway after the same has been located or ordained on the plan provided for by this section

(b) Laying Out Opening Widening Straightening Vacating and Relaying Streets Highways Et Cetera Repairs and Detours

Section 2005 Power to Lay Out Open Widen Vacate Et Cetera The board of township commissioners may enact ordain survey lay out open widen straighten vacate and relay all streets and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such street passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the board of commissioners it is necessary for the public convenience and the authority to open widen and straighten highways with the approval of the Secretary of Highways Such power shall include authority to vacate in whole or in part streets laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a street which will be a continuation or extension of a street already opened by an adjacent city borough or township

Section 2008 Draft Report After such hearing and a consideration of the matter should the board of commissioners or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the street or highway fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter session

Section 2011 Notices to Be Posted Along Improvement After the passage or approval of any ordinance by the board of commissioners for the opening widening straightening extending or vacating any street or highway notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

Section 2035 Any township may acquire by purchase or by the right of eminent domain such property and lands situate along or adjacent to any township street or highway as in the opinion of the commissioners of such township may be necessary to eliminate dangerous curves and widen narrow streets or highways for the better protection and safety to the traveling public

Upon any such purchase or condemnation the township commissioners may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow street or highway to the extent of the property and land so acquired

The proceedings for the condemnation of such property and lands under the provisions of this section and for the assessment of damages for property or land taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of lands by townships

Section 2040 Any township may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two streets or highways or a street or highway and a railroad or railway or at any curve in any street or highway as may be necessary to assure a free and unobstructed view in all directions at such crossings and to so prevent the use of such lands for any purpose or in any manner upon any such street or highway

Upon any such condemnation the township commissioners having which may interfere with or obstruct the vision of persons traveling had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided in this act for the condemnation of land by townships

Upon the condemnation of a view the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(h) Grading Draining Curbing Paving Macadamizing Streets or Highways on Petition and Assessment of Benefits by Viewers

Section 2050 Proceedings on Petition Upon the petition of a majority of property owners in interest or number abutting on the line of any proposed improvement to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person a township may grade curb pave or macadamize or otherwise improve any street or highway or part thereof or which may be in whole or in part boundaries thereof and provide for the necessary drainage thereof and may also provide for the improvement of any street or highway and any sections or parts thereof in length in the space between the curb gutter or actual carriage-way line and the property line either by an original work or improvement thereon or by a change repair renewal or alteration in the said street or highway curb parking spaces or shade trees or by changing [alterating] altering renewing replanting pruning or otherwise improving the same in any or all of said particulars The majority in interest or number required for such petitions shall be fixed as of the date of such petition

Section 2052 Notice After the passage of any ordinance for the grading curbing paving or macadamizing or otherwise improving any street or highway notice shall be given within ten days thereafter by handbills posted in conspicuous places along the line of the proposed improvement

(i) Grading Draining Curbing Paving or Macadamizing Streets or Highways and Collection of Cost by Foot Front Rule

Section 2060 Proceedings With or Without Petition Townships with petition or without petition may grade curb gutter pave macadamize or otherwise improve streets or highways or parts thereof or a particular width or additional widths thereof with or without the assistance or contribution of the State county or a corporation occupying the thoroughfare and may assess and collect the whole cost thereof or the whole cost not thus aided or contributed or any part thereof from the owners of real estate abutting on the improvement by an equal assessment on the foot front including the expense of the necessary drainage The board of commisisoners may make equitable adjustments for corner lots or lots of irregular shape where an assessment for full frontage would be unjust Property not otherwise assessable shall become assessable by the petition of the owner or the owner's representative In all cases where the whole width of the street is being paved without State or county aid and more than two-thirds of the total cost is proposed to be assessed on abutters the township shall for this purpose be considered as owner of non-assessable property of street intersection and of the deducted frontage on equitable adjustments On petition of owners representing two-thirds of the number of feet of assessable properties abutting on the proposed improvement the total cost of the improvement or a lesser amount if the township desires may be assessed on the assessable properties abutting without any deduction for non-assessable property or street intersection or for the equitable adjustments aforesaid Provided That the petition states that the total cost may be assessed on the abbutters

Section 2065 Power to Enter Lands When material cannot be conveniently obtained by contract at reasonable prices the commissioners of townships may enter upon any land or enclosure within their township lying near the street or highway and dig gather and carry upon the

street or highway any stones sand or gravel which they think necessary to make maintain or repair the street or highway In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fences which they make

Section 2067 Ditches Drains and Watercourses Approval of Plans No person shall stop fill up confine pave or otherwise interefere with any drain ditch watercourse or drainage facilities in a township without first submitting suitable plans thereof to the township commissioners for their approval Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the commisisoners and shall show the exact nature of the work to be performed Before acting upon any such plan the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The commissioners are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any alterations changes or modifications Any plans when so approved shall be signed on behalf of the township by such officer as the commissioners may designate and shall be filed in the township offices where the same shall be available for public inspection No drain ditch watercourse or drainage facilities shall be constructed altered stopped filled up confined paved or otherwise interefered with except in strict accordance with plans so approved by the commissioners or with further plans subsequently approved by them in the same manner No township shall have any responsibility with respect to conditions arising as a result of the failure on the part of any person to comply with the requirements of this act

The township commissioners may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgment are necessary to carry the water from the streets or highways

Any person who shall stop fill up or confine pave or otherwise interefere with any such drain or ditch watercourse or drainage facilities or shall divert or change the course thereof without the approval of the commissioners as herein provided shall upon convicftion thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars for each offense and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days

Nothing contained in this section shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its powers and duties under the provisions of any law of this Commonwealth nor to obviate the necessity of securing the consent of the Water and Power Resources Board where required by existing law

(k) Trees Shrubbery and Obstructions within Limits of Streets or Highways

Section 2070 In order to provide for easy and convenient traveling upon the public streets or highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstructions wthin the legal width of any public street or highway or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing along such streets or highways shall become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the street or highway in the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

(1) Protection of Streets or Highways from Snowdrifts

Section 2078 Whenever any streets or highways in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the commissioners such drifts of snow can be avoided by the removal of any fence erected along either side of such street or highway and replacing the same by a fence constructed of posts wire and boards or rail combined such commissioners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and board or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

Any township which is responsible for the maintenance of any street shall have authority to enter upon private property adjacent to such street and place thereon a snow fence at any point as may be deemed necessary to within a limit of one hundred (100) feet from the right of way line of such street in order to eliminate snow drifting on the traveled portion of the street

No such snow fence authorized shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

If the township shall not be able to enter into an agreement with the owner of the adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings Such damages if any when ascertained shall be paid by the township Any funds available for the construction and maintenance of streets shall be available for the payment of such damages

Section 2080 Duty to Erect The commissioners of the township shall erect posts at the intersection of all streets or highways and at one of the angles where any street or highway crosses another street or highway and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such street or highway but if a tree trolley pole telephone pole telegraph pole or building is so erected that it can be used in place of a post and permission has been secured from the owner thereof such tree pole or building may be used in place of a post On such boards and signs shall be inscribed in large and legible characters the name of the town village or place to which such streets or highways lead and the distance thereto computed in miles Where any street intersects or crosses a State highway application for a permit shall be made by the commissioners to the State Department of Highways for the erecting of such signs

Section 2081 Penalty for Destroying It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any street highway or bridge by the authorities of any township or erected with the consent of the authorities having jurisdiction over such street highway or bridge by any club association or other organized body for the direction guidance or safety of travelers Any person violating any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than [than] ten dollars and not more than twenty-five dollars with all costs of prosecution together with the value of such sign so destroyed removed or defaced and in default of such payment shall be sentenced to imprisonment of not more than ten days Fines and moneys so collected shall be paid to the township treasurer

Section 2088 If any person working upon any street in any township or if any one in company with such person shall ask money or reward or by any means whatever shall extort or endeavor to extort any money intoxicating drink or other thing from any person traveling upon or near such street the person so offending shall for every

such offense forfeit and pay a sum not exceeding five dollars

If any township commissioner shall connive with any person so asking demanding or contriving to extort money intoxicating drink or any other thing from any person traveling as aforesaid such commissioner shall for every such offense forfeit and pay a sum not exceeding ten dollars

If any person shall stop or obstruct any street or highway in any township or shall commit any nuisance thereon by felling trees making fences turning the road or in any other way and shall not on notice given by the township commissioners forthwith remove the obstruction or nuisance and repair the damages done to such street or highway such person shall for every such offense forfeit and pay a sum not more than twenty-five dollars Nothing in this section shall debar an indictment for any such nuisance as in the case of misdemeanor at common law

All penalties provided for in this section shall be recovered by summary proceeding for the use of the township

(g) Grading Curbing Paving Macadamizing Boundary Street or Highway Et Cetera

Section 2130 Townships may enter into agreements with adjoining boroughs for the grading paving and curbing or macadamizing of streets or highways which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon

In grading paving and curbing or macadamizing any such street or highway townships shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitioners a majority in interest of owners of undivided interest in any piece of property to be treated as one person asking that such improvement be made

The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in this act for the assessment of damages and benefits by viewers

Section 2411 Assessment of Property Outside Limits of Townships for Sewers Whenever any sewer is located in any street or highway dividing such township from any other municipality or township located in the same county the property on the side of the street or highway outside the line of such township for a depth of one hundred fifty feet shall be assessed for sewers on such street or highway on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within the township for such sewers

(d) Sewers and Drains in Streets or Highways or over Private Property Assessment of Cost of Construction According to Benefits

Section 3023 General Powers of Commission The commission shall have exclusive custody and control of the shade trees in the township and is authorized to plant remove maintain and protect shade trees on the public streets and highways in the township

Section 3061 Grant of Power For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for the coordination of existing streets and highways with proposed streets parks or other features of the township's official plan of streets and highways for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township commissioners are hereby empowered to adopt by ordinance land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 3065 Subdivisions Wherein Lots Abut Existing Improved Street or Highways of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets or highways of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township commissioners as specfied in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township commissioners and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 3066 Subdivisions Wherein Lots Abut Existing Streets or Highways of Insufficient Width or Proposed Streets

(a) Plans may be Referred to Planning Commission for Recommendations Such regulations may provide that plans of subdivisions wherein lots abut existing streets or highways of insufficient width or streets proposed to be laid out through unimproved land may if the board of township commissioners deems it advisable be referred to the planning commission of the township if any for its recommendations as to location and width of streets and similar features Such plans shall be subject to approval or rejection by the board of township commissioners In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any party aggrieved by the decision of the board of township commissioners may appeal to the court of quarter sessions of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township commissioners shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets and highways conforming to the township's official plan of streets and highways and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

* * * * *

(h) Recorded Plan Become Part of Official Plan After a subdivision plan has been duly recorded the streets highways parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the planning commission to make or cause to be made and to lay before the township commissioners maps and plans of the township or any portion thereof showing the streets highways and other natural and artificial features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and therafter from time to time the planning commission may lay before the township commissioners any modification change or supplement to any prior plan or plans The planning commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be effective unless regularly approved and adopted by ordinance or resolution of the township commissioners and after such

approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 663, Printer's No. 131
House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96
House Bill No. 814, Printer's No. 97
House Bill No. 815, Printer's No. 98
House Bill No. 816, Printer's No. 99
House Bill No. 817, Printer's No. 100
House Bill No. 818, Printer's No. 101
House Bill No. 819, Printer's No. 102 and
House Bill No. 889, Printer's No. 136

were passed over at the request of the SPEAKER.

COMMITTEE MEETING

There will be a meeting of the Democratic Rural Members in Room 329, Monday, April 27, at 2:30 p.m. D.S.T.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the gentleman from Westmoreland, Mr. Lovett.

Mr. ANDREWS. Mr. Speaker, will the gentleman define for us who, what or how a rural Member comes about. Who is a rural Member? Which ones of those farmers over there are entitled to be classified as rural members?

Mr. LOVETT. Mr. Speaker, I will give the gentleman the definition that my Caucus Chairman gave at the caucus. It includes anybody that does not attend the Allegheny County caucus or the Philadelphia County caucus.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman for the definition.

The SPEAKER. The Chair is also happy to know what a rural Member is.

ADJOURNMENT

Mr. CONNER. Mr. Speaker, I move that this House do now adjourn until Monday, April 27, 1953 at 3:30 a.m. EST.

The motion was agreed to, and (at 10:45 a.m. E.S.T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, APRIL 27, 1953. No. 32.

SENATE

MONDAY, April 27, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. C. HARRY KEHM, Pastor of Grace Evangelical and Reformed Church, Allentown, offered the following prayer:

Let us pray.

Eternal and everlasting God, our heavenly Father, as we meet together, the Members of this Senate, chosen by our own people to lead the work of this Commonwealth, we invoke Thy blessing upon us. Give us more than an understanding, but give us wisdom and give us love, and then give us the purity of mind that all those things which we do may be done in Thy name for the good of our people.

We humbly seek Thee, Heavenly Father, for always we do err and come short of Thy glory. Yet, we know that when you have forgiven us through Thy Son's name, we have a chance to do better. Help up always to seek the best ways of life. Give us courage and boldness of heart to stand for the things that are true. Somehow may we ennoble our characters by the virtues which are seen in us.

Unite us together in unity of spirit, oneness of purpose and help us in every act. Add Thy blessing and grant us faithful hearts. In Jesus' Name, we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. PECHAN, for today's Session only.

He also asked and obtained leave of absence for Mr. PEELOR, for today's Session only.

He also asked and obtained leave of absence for Mr. SNOWDEN, for today's Session only.

NOMINATIONS BY THE GOVERNOR
REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Y. Naill, R. D. No. 1, Hanover, York County, for appointment as Justice of the Peace in and for the Township of Penn, York County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

MEMBER OF STATE BOARD OF EXAMINERS OF ARCHITECTS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter Antrim, Architects Building, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Examiners of Architects, for the term of six year, and until his successor is appointed and qualified, vice Edmund R. Purves, Media, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, RETREAT STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph W. Shergalis, 473 East South Street, Wilkes-Barre, Luzerne County, for appointment as a member of the Board of Trustees of Retreat State Hospital, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonweath of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Jacob C. Fleming, R. D. No. 1, Northumberland, Northumberland County, for appointment as Justice of the Peace in and for the Township of Point, Northumberland County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

HOUSE MESSAGES

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read as follows:

CONDOLENCE

In the House of Representatives, April 21, 1953.

On Saturday, April 18, 1952 Judge W. Herber Ditrich, one of Pennsylvania's truly outstanding jurists, died at his home in Allegheny County.

Judge Ditrich was elevated to the superior court in 1944 after serving nearly fourteen years on the Common Pleas Court of Allegheny County.

Prior to the beginning of his judicial career, Judge Ditrich served four years as county solicitor of Allegheny County and two years as first assistant United States attorney.

The members of the General Assembly are particularly proud that he was a member of the House of Representatives from 1917 to 1921. In his last term he served as chairman of the judiciary general committee.

After graduating from Mercersburg Academy, Washington and Jefferson College, and the University of Pittsburgh School of Law, he was admitted to the bar of Allegheny County and the supreme court. He interrupted his private affairs twice to serve his country, serving as a first lieutenant of cavalry on the Mexican border and during the first World War.

Judge Ditrich was a director of the Coraopolis National Bank and the Ohio Valley Trust Company. He was a member of the Twenty-eighth Division Society, American Legion, Sons of Union Veterans, the Ecclesiastical Court of the Pittsburgh Episcopal Diocese, the Round Table Conference of Christians and Jews, the Mercersburg Academy Board of Regents, Masonic orders, Elks, Eagles, Phi Delta Theta, Phi Delta Phi, the Allegheny County Club and the Duequesne Club.

The outstanding feature of Judge Ditrich's career is the fine reputation as an able jurist he earned during his tenure on the bench. Judges and lawyers, and others who follow the decisions of our appellate courts, are unanimous in their acclaim of him. He has frequently been described as exceptionally well fitted for a high judicial post, therefore be it

Resolved (if the Senate concurs) That the members of the General Assembly pay tribute to the memory of Judge W. Heber Ditrich, and on behalf of the people of Pennsylvania express our gratitude for his long and distinguished service to his State, and be it further

Resolved, That we extend our deepest and most sincere sympathy to his beloved wife and family in their hour of great loss, and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Lois Ditrich, his widow, at Fleming Street, Coraopolis, Pennsylvania.

RULE 39 SUSPENDED

Mr. MAHANY. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the forgoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, that the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows: House Bill No. 194, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for mandatory revocation of hunting and trapping rights

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 290, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 383, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon

Which was committed to the Committee on Local Government.

House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance anl Revenue to meet interest sinking fund and service requirements on the State debt.

Which was committed to the Committee on Appropriations.

House Bill No. 660, entitled:

An Act requiring that copies of bills introduced in the General Assembly be punctuated

Which was committed to the Committee on Judiciary General.

House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 688, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the

highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the transfer and temporary use of registration plates for motor vehicles trailers and semi-trailers in cases involving husband and wife.

Which was committed to the Committee on Highways.

House Bill No. 823, entitled:

An Act to amend section 1 of the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 620) entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate or interest in real estate unless a certificate is attached to said instruments giving the precise residence of the grantee or grantees named therein and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of real estate" by requiring the certificate of the grantees to contain their complete post office address.

Which was committed to the Committee on Judiciary General.

House Bill No. 883, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by redefining certain terms and eliminating and changing certain provisions relating to lighting equipment.

Which was committed to the Committee on Highways.

House Bill No. 893, entitled:

An Act to further amend clause 2 of subsection (b) and subsection (d) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the restrictions as to speed

Which was committed to the Committee on Highways.

House Bill No. 895, entitled:

An Act to further amend section 1004 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by prohibiting driving on the wrong side of a divided highway

Which was committed to the Committee on Highways.

House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

Which was committed to the Committee on Judiciary General.

House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1079, entitled:

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses

Which was committed to the Committee on Forests and Waters, Game and Fish.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 47, entitled:

An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts.

House Bill No. 485, entitled:

An Act to amend the title and reenact and further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second Class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" by incorporating all past amendments and authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day.

Whereupon,

The President (Lieutenant-Governor Llayd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. FREED, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 474, entitled:

An Act to further amend Section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

BILLS INTRODUCED AND REFERRED

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 516, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes and adding certain new routes in Northumberland county.

Which was committed to the Committee on Highways.

Messrs. MAHANY and DENT (By request) read in place and presented to the Chair Senate Bill No. 517, entitled:

An Act to amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by abolishing the State Tax Equalization Board; transferring the powers and duties thereof to the Department of Internal Affairs; and making an appropriation.

Which was committed to the Committee on Rules.

They also (By request) read in place and presented to the Chair Senate Bill No. 518, entitled:

An Act to amend Section 2 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1608), entitled "An act merging and consolidating State housing with State planning; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code; and repealing certain acts," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs.

Which was committed to the Committee on Rules.

They also (By request) read in place and presented to the Chair Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-seven (Appropriation Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Comerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

Which was committed to the Committee on Rules.

They also (By request) read in place and presented to the Chair Senate Bill No. 520, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and

other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

Which was committed to the Committee on Rules.

They also (By request) read in place and presented to the Chair Senate Bill No. 521, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, anl officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs, and changing the membership of the board.

Which was committed to the Committee on Rules.

They also (By request) read in place and presented to the Chair Senate Bill No. 522, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the exectuive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

Which was committed to the Committee on Rules.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 523, entitled:

An Act to amend Section 4 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 674), entitled "An act to encourage the making and maintaining of agreements concerning wages, hours, and conditions of employment between employers and employes by their representatives, and the settlement of controversies concerning the same by mediation and voluntary arbitration; conferring powers of mediation and arbitration of such controversies on the Department of Labor and Industry," by providing for the taking of a secret ballot in certain cases.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 524, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further defining "Explosives"; further regulating the transportation of explosives; fixing and changing penalties regarding the transportation of explosives; imposing duties and powers on the Department of Labor and Industry and the Secretary of Highways; further providing for arrests and further limiting the authority of Pennsylvania State Policemen.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 525, entitled:

An Act to amend the title and the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing for protection against radiation; and requiring labeling of containers of dangerous substances.

Which was committed to the Committee on Labor and Industrv.

He also read in his place and presented to the Chair Senate Bill No. 526, entitled:

An Act to further amend the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their

hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by limiting the work hours and week of minors sixteen (16) and seventeen (17) years of age; prohibiting minors under eighteen (18) years of age from working in bowling alleys; providing for public performance regulation concerning minors under eighteen (18) years of age; providing for proof of age upon application for employment; imposing duties on employers and the Secretary of Labor and Industry; increasing penalties and providing for prosecution of violations and disposition of fines and penalties.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 527, entitled:

An Act to amend the title and the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by further regulating licenses and fixing fees therefor; regulating transportation, packaging, and delivery of explosives and vehicles and operators of vehicles engaged in such transportation, changing penalties; and providing for payment of fines into the State Treasury.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions, and requiring approval of the Industrial Board in formulation of rules and regulations.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 529, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by requiring minimum number of actual working days for eligibility to compensation; authorizing the entering of agreements for payment of compensation in such cases; authorizing the investigation and examination of all claims filed; authorizing the employment of physicians, surgeons and other experts by board or a referee to make examination of injuries complained of; and providing for the payment of compensation to such experts; and making certain appropriations therefor.

Which was committed to the Committee on Labor and Industry.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 530, entitled:

An Act to add Section 1406.1 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by giving any candidate whose name is written, stamped, or affixed upon a ballot the right to petition the court for the cumulation of such votes.

Which was committed to the Committee on Elections.

Mr. KEPHART read in his place and presented to the Chair Senate bill No. 531, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors,, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

Which was committed to the Committee on Banking.

Messrs. McCUSKER and SILVERT (By request) read

in place and presented to the Chair Senate Bill No. 532, entitled:

An Act providing for a commission to submit a revised penal code of Pennsylvania, and making an appropriation for the expenses of the commission.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. HARE asked and obtained unanimous consent to address the Senate.

Mr. HARE. Mr. President and Members of the Senate, many times as we go through our legislative life, we lose track of the really important things. To that end, today I am presenting a resolution in the Senate concerning the last three Pennsylvania boys who have been awarded the Congressional Medal of Honor in the Korean conflict.

Mr. President, I read, for the record, the award given the latest one, the fifty-eighth veteran to receive the Congressional Medal of Honor in Korea:

"Corporal Clifton T. Speicher, an Army Infantryman from Gray, Pennsylvania, has been awarded the Medal of Honor for singlehanded destruction of an enemy machine gun nest at the cost of his life near Minari-gol, Korea, Secretary of the Army, Robert T. Stevens, announced today.

"Corporal Speicher, 21 years old, was a member of the assaulting element of Company F, 223rd Infantry Regiment, 40th Infantry Division, which was attacking an enemy-held hill early on June 14, 1952. Although wounded by an exploding enemy grenade, and later by small arms fire, he refused medical aid and continued his advance up the hill.

"Charging into an enemy bunker in the face of blazing gunfire, Corporal Speicher killed two of its occupants with his rifle and a third with his bayonet, and silenced the machine gun. A fourth enemy soldier, later shot by Corporal Speicher's comrades, fired point blank, further wounding the heroic soldier. Corporal Speicher walked unassisted to the foot of the hill, where he collapsed and died.

"Corporal Speicher's conspicuous gallantry and intrepid actions in silencing the machine gun allowed his unit to reach its objective and accomplish its mission.

"The Army's 58th Medal of Honor winner to be announced since the outbreak of fighting in Korea, Corporal Speicher is survived by his parents, Mr. and Mrs. John W. Speicher of Box 106, Gray, Pennsylvania.

"An eyewitness account of Corporal Speicher's heroic act is provided by a member of his squad, Corporal Rudy G. Polin, of 750 East 84th Place, Los Angeles, California.

" 'In the attack on Hill 499 on the morning of June 14, 1952, Corporal Speicher went with the assault squad of the second platoon, of which I was a Browning Automatic Rifleman. About half way up the hill, Corporal Speicher was knocked down and wounded by an enemy hand grenade. He got up and refused medical aid and continued up the hill in the attack.

" 'When we were three-fourths of the way to the top, a machine gun pinned us down. Corporal Speicher fearlessly arose from his position and charged into the face of the blazing enemy fire. When he was about ten yards from the bunker, he was hit and knocked down once more, this time by small arms fire. He rose to his feet and continued to move in on the machine gun nest and disappeared inside. A few minutes later, three men from our squad moved cautiously up to the machine gun, because it had ceased firing. They shot an enemy soldier who had just shot Corporal Speicher. Three more enemy lay dead on the floor. Corporal Speicher had killed them. Corporal Speicher walked unsteadily outside and down the hill without saying anything to anyone.'

"Corporal Speicher was born on March 25, 1931, at Gray, Somerset County, Pennsylvania. He enlisted in the Army on January 11, 1951, and was ordered to the Far East Command in June, 1951.

"Text of the Medal of Honor citation follows:

" 'Corporal Clifton T. Speicher, Infantry, United States Army, a member of Company F. 223rd Infantry Regiment, 40th Infantry Division, distinguished himself by conspicuous gallantry and indomitable courage above and beyond the call of duty in action against the enemy near Minari-gol, Korea, on 14 June 1952. While participating in an assault to secure a key terrain feature, Corporal Speicher's squad was pinned down by withering small arms, mortar and machine gun fire. Although already wounded, he left the comparative safety of his position, and made a daring charge against the machine gun emplacement. Within ten yards of the goal, he was again wounded by small arms fire, but continued on, entered the bunker, killed two hostile soldiers with his rifle, a third with his bayonet, and silenced the machine gun. Inspired by this incredible display of valor, the men quickly moved up and completed the mission. Dazed and shaken, he walked to the foot of the hill where he collapsed and died. Corporal Speicher's consummate sacrifice and unflinching devotion to duty reflect lasting glory upon himself and uphold the noble traditions of the military service.' "

Mr. President, another Pennsylvania Congressional Medal of Honor winner, incorporated in the same resolution, who comes from Bellwood, Blair County, Senator Mallery's District, had this citation. This boy, too, died in order to achieve the Congressional Medal of Honor in this Korean War.

"Sergeant First Class William S. Sitman (Service No. RA 33 571 970), Infantry, United States Army, Company M, 23rd Infantry Regiment, distinguished himself by conspicuous gallantry and interpidity above and beyond the call of duty in action against an armed enemy of the United Nations near Chipyong-ni, Korea, on 14 February 1951. Sergeant Sitman, a machine gun section leader of Company M, was attached to Company I, under attack by a numerically superior hostile force. During the encounter, when an enemy grenade knocked out his machine gun, a squad from Company I immediately emplaced a light machine gun and Sergeant Sitman and his men remained to provide security for the crew. In the ensuing action, the enemy lobbed a grenade into the position and Sergeant Sitman, fully aware of the odds against him selflessly threw himself on it, absorbing the full force of the explosion with his body. Although mortally wounded in this fearless display of valor, his intrepid act saved five men from death or serious injury, and enabled them

to continue inflicting withering fire on the ruthless foe throughout the attack. Sergeant Sitman's noble self-sacrificing and consummate devotion to duty reflect lasting glory on himself and uphold the honored traditions of the military service."

Mr. President, the third Pennsylvania Congressional Medal of Honor winner in Korea comes from Senator Letzler's District, Mahaffey, Pennsylvania. His citation, incorporated in this same resolution, reads as follows:

"Private First Class Melvin L. Brown, Company D., 8th Engineer Combat Battalion, distinguished himself by conspicuous gallantry and intrepidity above and beyond the call of duty in action against an enemy on 4 September 1950, near Kasan, Korea. While his platoon was securing Hill 755 (The Walled City) the enemy, using heavy automatic weapons and small arms, counterattacked. Taking a position on a fifty-foot high wall, he delivered heavy rifle fire on the enemy. His ammunition was soon expended and although wounded, he remained at his post and threw his few grenades into the attackers causing many casualties. When his supply of grenades was exhausted his comrades from nearby foxholes tossed others to him and he left his position, braving a hail of fire, to retrieve and throw them at the enemy. The attackers continued to asault his position and Private Brown, weaponless, drew his intrenching tool from his pack and calmly waited until they, one by one, peered over the wall, delivering each a crushing blow upon the head. Knocking ten or twelve enemy from the wall, his daring action so inspired his platoon that they repelled the attack and held their position. Private Brown's extraordinary heroism, gallantry and intrepidity reflects the highest credit upon himself and was in keeping with the honored traditions of the military service."

Mr. President, six Pennsylvania born people have achieved this goal, the highest honor in the heart and hand of a grateful Nation to present them.

SENATE RESOLUTION

THANKS OF THE COMMONWEALTH EXTENDED TO FAMILIES OF THREE SERVICEMEN WHO WERE AWARDED CONGRESSIONAL MEDALS OF HONOR

Messrs. HARE, LETZLER and MALLERY, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 27, 1953.

"..... distinguished himself by conspicious gallantry and intrepidity above and beyond the call of duty in action against an armed enemy of the United States ....." So reads the Nation's highest military honor for heroism in combat, the United States Congressional Medal of Honor. Three Pennsylvanias have been awarded this medal since the outbreak of the Korean War.

Private First Class Melvin L. Brown, of Mahaffey, received the award December 1, 1950, for his heroic action at Kasan, where unarmed, except for his intrenching tool, stalled an enemy attack by killing twelve enemy soldiers with this inadequate weapon, thereby encouraging his platoon to repell the attack.

Sergeant First Class William S. Sitman, of Bellwood, was given the award posthumously, December 14, 1951, for his bravery in selflessly throwing himself upon an enemy grenade, and giving his life so that the remaining members of his gun crew could remain alive to aid in stemming the enemy attack.

Corporal Clifton T. Speicher, of Gray, was posthumously awarded this Medal, April 6, 1953. The medal was the fifty-eighth given since the Korean War. Corporal Speicher, single-handedly, wiped out an enemy machine gun nest. He was wounded twice before reaching the gun emplacement and was killed by the surviving enemy soldier of the four-man crew, the other three having been killed by Corporal Speicher.

Pennsylvanians have distinguished themselves by their valor in all wars, from the earliest Indian conflicts to the Korean campaign.

The exploits of these three men forcibly demonstrate that liberty cannot be purchased by a single payment, but rather, the price of liberty is of a continuing nature.

Pennsylvania is justly proud of all her soldier-citizens and especially so of these three men, who in the words of their commendation "have reflected lasting glory upon themselves and upheld the honored traditions of the military service by the self-sacrificing and consummate devotion to duty"; therefore be it

Resolved, That the Senate, on behalf of the citizens of this State, extend to each of the families of Sergeant William S. Sitman, and Corporal Clifton T. Speicher and to Melvin L. Brown the heartfelt, though inadequate, thanks of the Commonwealth for their sacrifices.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 27, 1953.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 4, 1953, at three o'clock p.m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, May 4, 1953, at three-thirty p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 27, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsyvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation.

ALLEGHENY COUNTY

Miss Vera Berko, Pittsburgh, 933 Penn Ave. (22).
S. Phillip Berkovitz, Pittsburgh, 615 Liberty Ave.
William F. Donatelli, Pittsburgh, 1210 Frick Bldg.
Miss Dorothy M. Gayton, Pittsburgh, 156 Flavel St.
Louis Kalik, Swissvale.
Miss Agnes Kyriakides, Turtle Creek.

BEAVER COUNTY

James J. Migliore, Midland.

BERKS COUNTY

M. R. Leeser, Topton.

BUCKS COUNTY

R. Stockton Janney, Solebury Twp., New Hope.

BUTLER COUNTY

Mrs. Olive D. MacDonald, Butler.
Miss Ruth H. McKee, Butler.

CAMBRIA COUNTY

Mrs. Josephine V. Grzbicki, West Taylor Twp., Johnstown.

CHESTER COUNTY

Mrs. Emma H. Johnson, Tredyffrin Twp., Paoli.

CLARION COUNTY

Thomas W. Clark, Clarion.

CLINTON COUNTY

Mrs. Beryl E. Grugan, Lock Haven.

CUMBERLAND COUNTY

Mrs. Helen M. Miller, New Cumberland.

DAUPHIN COUNTY

Miss Mary Alma Allin, Harrisburg.
Mrs. Betty G. Phillips, Harrisburg.

DELAWARE COUNTY

Henry C. Bassett, Upper Darby Twp., Upper Darby.
Richard G. de Grouchy, Upper Darby Twp., Upper Darby.
Miss Alice J. Harman, Upper Darby Twp., Upper Darby.
Louis Marder, Sharon Hill.
Mrs. Ruth A. B. Townsend, Swarthmore.

ERIE COUNTY

George A. Clark, Union City.
Arthur A. Obert, Erie.

FAYETTE COUNTY

Miss Marietta Wilburn, Uniontown.

LACKAWANNA COUNTY

Marshall D. James, Moosic.

LAWRENCE COUNTY

Oscar H. Bohar, North Beaver Twp., Enon Valley.
Roy W. Hazen, New Castle.
Mrs. Dorothy M. Lowers, New Castle.

LEBANON COUNTY

Mrs. Verna M. Miller, Myerstown.

LEHIGH COUNTY

W. T. Adkin, Allentown.
Eben J. Barber, Catasauqua.
Emmett Rehrig, Washington Twp., Slatedale.

LUZERNE COUNTY

Joseph Capozzi, Wilkes-Barre.
Mrs. Lucille A. Maziarz, Duryea.

LYCOMING COUNTY

L. T. Connolly, Piatt Twp., Jersey Shore.
Mrs. Virginia G. Sunday, Williamsport.

MIFFLIN COUNTY

Mrs. Lenore A. Koons, Lewistown.

MONTGOMERY COUNTY

Richard A. Delaney, Jr., Cheltenham Twp., Elkins Park.
Mrs. Carrie L. Norton, Pottstown.
J. Russell Rodenbaugh, Hatboro.
Irwin S. Rubin, Souderton.

PHILADELPHIA COUNTY

Mario Bucci, 1421 E. Passyunk Ave. (47).
John Capetola, 1001 South 8th Street (47).
Miss Margaret A. Carton, 1420 Walnut Street (2).
Mrs. Genevieve M. Coletta, 226 South 16th Street (2).
Frederick G. Fitt, 6628 Rising Sun Ave. (11).
Joseph A. Goldbeck, 1616 Walnut Street (3).
John P. Kelly, Jr., 1614 East Upsal Street (38).
Saul Lane, 2858 North 17th Street (32).
Edward N. Leonardo, 7131 Louise Street (38).
Miss Lillian W. Lewis, 2321 North 18th Street (32).
Robert A. Mennie, 1427 Pt. Breeze Ave. (46).
Richard H. Monroe, 2022 Pemberton Street (46).
John M. Reid, 7921 Oxford Ave. (11).
Mrs. Dorothy G. Reinholt, 44 Slocum Street (19).
Alfred J. Sanfilippo, 2135 Wolf Street (45).,
J. P. Scherf, 2835 Bridge Street (37).
Albert P. Stagliano, 1712 E. Passyunk Ave. (48).
Mrs. Jennie Wesbury, 535 E. Westmoreland Street (34).
Albert Whitman, 1856 Widener Place (41).

SCHUYLKILL COUNTY

Mrs. Doris B. Flannery, Pottsville.

SOMERSET COUNTY

John H. Hentz, Berlin.

WASHINGTON COUNTY

Henry Tennyson, Burgettstown.

WESTMORELAND COUNTY

Samuel J. Wise, Greensburg.

WYOMING COUNTY

Miss Mary Anne Barton, Tunkhannock.

YORK COUNTY

Orin K. Dise, Glen Rock.
Mrs. Amy G. Winter, Hanover.

To compute from the dates set opposite their names.

PHILADELPHIA COUNTY

P. Di Benedetto, 858 Wynnewood Road 4-27-53.
Clement Cipkarone, 1700 Tasker Street 4-27-53.

BUTLER COUNTY

Homer A. Patten, Butler 4-28-53.

PHILADELPHIA COUNTY

William F. Hayward, 46 North 52d Street 4-28-53.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCreesh,	Taylor,
Barr,	Harney,	McCusker,	Toole,
Berger,	Holland,	McGinnis,	Wade,
Blass,	Kephart,	McMenamin,	Wagner,
Camiel,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Propert,	Watson,
Diehm,	Leader,	Ruth,	Weiner,
DiSilvestro,	Letzler,	Silvert,	Wolfe,
Fleming,	Madigan,	Stevenson,	Wood,
Freed,	Mahany,	Stiefel,	Yosko,
Haluska,	Mallery,		

NAYS—0

Two-thirds of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

SENATE CONCURRENT RESOLUTION No. 125 REPORTED FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, to which was referred resolution offered by Mr. BERGER, on March 16, 1953, reported the same with amendments as follows:

REQUESTING THAT PLAQUE OF DR. SAMUEL G. DIXON BE PUBLICLY ENSHRINED IN THE ROTUNDA OF THE CAPITOL

In the Senate, March 16, 1953.

It is appropriate that a plaque of Dr. Samuel G. Dixon, the Commonwealth's first Commissioner of Health, be publicly enshrined. Dr. Dixon was appointed in the year one thousand nine hundred five, by Governor Samuel Pennypacker, to establish a public health program for Pennsylvania.

The work of this lawyer-physician is the basis for our present day health program. He championed the idea of direct aid to rural areas, establishing a system of county health protection under the guidance of the State Health Department. He organized the Bureau of Vital Statistics, providing thereby the basic plan for the Federal Vital Statistics Registration services. His broad vision enabled him to establish the State Tuberculosis Hospitals at Mount Alto and Cresson. His acute sense of responsibility for his fellow men, coupled with his vast knowledge of the value of the use of antitoxins in combating diptheria, enabled him to materially aid in greatly reducing the mortality rate of this disease; now therefore be it

Resolved (if the House of Representatives concur), That the plaque of Dr. Samuel G. Dixon be accepted by the Commonwealth and that the plaque be publicly enshrined in the rotunda of the Main Capitol Building.

RULE 39 SUSPENDED

A motion was made by Mr. BERGER,

That rule 39, which requires resolutions reported from committee to lie over for one day, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BARR and McCUSKER read in place and presented to the Chair Senate Bill No. 533, entitled:

An Act relating to plumbing; providing for licensing and registration and regulation of persons engaged in plumbing and prescribing powers and duties of the Department of Health and local governments.

Which was committed to the Committee on Local Government.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, on final passage, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 117, as follows:

An Act to amend section 608.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles im-

posing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds by further providing for physical examinations and certificates signifying passage thereof by school bus drivers and removing exemption of employes of persons or companies subject to jurisdiction of Pennsylvania Public Utility Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 608.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicle tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1884) is hereby amended to read as follows

Section 608.1 Additional Examinations for School Bus Operators After the first day of July one thousand nine hundred fifty no person shall operate a school bus carrying school children on the highways of this Commonwealth unless he (1) shall have satisfactorily passed an additional examination for school bus operators to be given by the secretary or such agency as he may direct establishing his fitness and competency to operate such school bus with safety and his knowledge of the laws and regulations relating to the operation of school buses (2) carries a currently valid school bus operator's certificate issued by the secretary pursuant to such examination (3) has satisfactorily passed a physical examination to be given [annually at the beginning of every school year] by the physician for the school district by which he is employed and (4) carriers a [currently valid] certificate issued by the examining physician at the time of examination indicating that he has passed the prescribed physical examination [the provisions of this section shall not apply to operator's employed by any person or company subject to the jurisdiction of the Pennsylvania Public Utility Commission] including an examination of the eyes Such certificate issued by the examining physician shall be valid for a period of one year from the date of its issuance

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five dollars ($25) and not more than fifty dollars ($50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than ten (10) days and not more than twenty-five (25) days

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Harney,	McCreesh,	Taylor,
Berger,	Holland,	McCusker,	Toole,
Blass,	Kephart,	McGinnis,	Wade,
Camiel,	Kessler,	McMenamin,	Wagner,
Chapman,	Kopriver, Jr.	McPherson, Jr.	Walker,
Dent,	Lane,	Miller,	Watkins,
Diehm,	Leader,	Propert,	Watson,
DiSilvestro,	Letzler,	Ruth,	Weiner,
Fleming,	Madigan,	Silvert,	Wolfe,
Freed,	Mahany,	Stevenson,	Wood,
Haluska,	Mallery,	Stiefel,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 409, on final passage, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and al other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the sett ement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency theerof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the Department of the Auditor General to make annual audits of the affairs of county boards of assistance

be placed on the Final Passage, Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 421, on final passage, entitled:

An Act to amend the title and the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by changing the definitions of "Board" and "De-

partment" changing the name of the department responsible for the issuance of licenses and transferring the State Board of Funeral Directors from the Department of Health to the Department of Public Instruction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 419, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Col eges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissiones defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Public Works transferring to it all the powers and duties of the Department of Highways and the State Planning Board all of the powers and duties of the Pennsylvania Aeronautics Commission except the inspection regulation and licensing of airports those powers and duties of the Department of Property and Supplies relating to the management and control construction and repair of all buildings owned or leased by the Commonwealth and those powers and duties of the Department of Internal Affairs relating to municipal and township development transferring the Board of Commissioners of Public Grounds and Buildings the State Art Commission and the Genera' Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works providing for a Secretary of Public Works defining his powers and duties abolishing the Department of Highways the State Planning Board and the Pennsylvania Aeronautics Commission reconstituting the State Planning Board and advisory board within the Department of Public Works creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies and transferring appropriations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 471, as follows:

An Act relating to counties of the second class amending revising consolidating and changing the laws relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as the Second Class County Code The provisions of this act shall become effective on the first day of the month next following its final enactment

Section 102 Applicability This act applies exclusively to counties of the second class

Section 103 Excluded Provisions This act does not include any provisions of and shall not be construed to repeal

(1) The Municipal Borrowing law approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159)

(2) The Pennsylvania Election Code approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333)

(3) The County Institution District Law approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017)

(4) The Local Health Administration Law approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1304)

(5) The Municipal Unclaimed Moneys Act approved the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1403)

(6) Any law relating to the collection of municipal and tax claims

(7) Any law relating to the assessment and valuation of property and persons for taxation

(8) Any law relating to the giving of county consent to public utility corporations

(9) Any law relating to State highways

(10) Any law relating to the validation of elections bonds resolutions and accounts of corporate officers

(11) Any law relating to collections by county officers of moneys for the Commonwealth and the issuance of State licenses

(12) Any law relating to the government and regulation of jails prisons and other correctional institutions and the commitment thereto and maintenance and care of prisoners or inmates therein

(13) Any law relating to civil and criminal procedure except special provisions concerning actions by or against counties or county officers

(14) Any law relating to joint county and municipal buildings and works

(15) Any law relating to county libraries except law libraries

(16) Any law relating to the recording of deeds mortgages or other instruments in writing

(17) Any law relating to the clerk or clerks of the County Court of Allegheny County

(18) Any law relating to the re-binding re-indexing and transcribing of records in county offices

(19) Any law relating to the fees of county officers

(20) Any temporary law

(21) Any amendment or supplement of any of the laws referred to in this section

(22) Court criers and tipstaves official court stenographers and interpreters and court room employes

Section 104 Saving Clause (a) The provisions of this act as far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provisions of law shall not revive any law heretofore repealed or superseded nor affect the existence or class of any county heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

(b) All resolutions regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed All local acts of Assembly applying to the County of Allegheny not specifically repealed by this act shall continue in force and any provisions of this act inconsistent therewith shall not apply to said county

(c) All acts and parts of acts of Assembly relating to counties or to particular classes of counties in force at the time of the adoption of this act and not repealed hereby shall remain in force in the same manner and with the same effect as prior to the adoption of this act

Section 105 Holding of Office Any person holding elective office under any act of Assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions and salary attached to such office prior to the passage of this act

Section 106 Construction of References Whenever in this act reference is made to any act by title or name such reference shall also apply to and include any codifications wherein the provisions of the act referred to are substantially reenacted or to reenactments revisions or amendments of the act

Section 107 Constitutional Construction The provisions of this act shall be severable and if any of its provisions are held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section 108 Legislation According to Class The affairs of counties of the second class are herein and shall hereafter be legislated for and regulated by general laws applicable to said counties All laws adopted by the General Assembly for counties of the second class shall be deemed to be general laws

Section 109 Proceedings for Recovery of Penalties Unless herein otherwise specifically provided in every case in which any pecuniary penalty or foreiture is imposed by this act the proceeding for the recovery of the same shall be by indictment in the court of quarter sessions or by civil action as debts of equivalent amount are by law recoverable Aldermen or justices of the peace shall not have jurisdiction of any suit or action for the recovery of any penalty imposed by this act for official misconduct Such suit or action when brought in the court of common pleas shall have preference for trial over all other actions

Section 110 Publication of Legal Notices Whenever under the provisions of this act advertisement notice or publication is required to be published in one newspaper such publication shall be made in a newspaper of general circulation as defined by the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1784) known as the Newspaper Advertising Act printed in the county unless the matter in connection with which the advertising is being done affects only a political subdivision in which case such advertisement shall be published in a newspaper printed in such political subdivision if there is such a newspaper and if not then in a newspaper circulating generally in such political subdivision If such notice is required to be published in more than one newspaper it shall be publised in at least one newspaper of general circulation defined as aforesaid printed if there be such a newspaper or circulating generally as above provided in the county When such notice relates to any proceeding or matter in any court or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation such notice shall also be published in the legal newspaper if any designated by the rules of court of the proper county for the publication of legal notices and advertisement unless such publication be dispensed with by special order of court All ordinances auditors' reports controllers' reports or advertisements inviting proposals for public contracts and for bids for materials and supplies shall be published only in newspapers of general circulation as hereinbefore defined

Article II

Names and Corporate Powers
Classification of Counties

(a) Division of the State into Counties Corporate Powers

Section 201 Enumeration of Counties The State shall be divided into the following sixty-seven named counties as now established by law Philadelphia Bucks Chester Lancaster York Cumberland Berks Northampton Bedford Northumberland Westmoreland Washington Fayette Franklin Montgomery Dauphin Luzerne Huntingdon Allegheny Mifflin Delaware Lycoming Somerset Greene Wayne Adams Centre Beaver Butler Mercer Crawford Erie Warren Venango Armstrong Indiana Jefferson McKean Clearfield Potter Tioga Cambria Bradford Susquehanna Schuylkill Lehigh Lebanon Columbia Union Pike Perry Juniata Monroe Clarion Clinton Wyoming Carbon Elk Blair Sullivan Forest Lawrence Fulton Montour Snyder Cameron and Lackawanna

Section 202 General Powers The county shall have capacity as a body corporate to

(1) Have succession perpetually by its corporate name

(2) Sue and be sued and complain and defend in all proper courts by the name of the county of .....

(3) Purchase acquire by gift or otherwise hold lease let and convey such real and personal property as shall be deemed to be for the best interests of the county

(4) Make contracts for carrying into execution the laws relating to counties and for all lawful purposes

(5) Have and use a seal which shall be in the custody of the commissioners thereof The official acts of the commissioners shall be authenticated therewith There shall be engraved upon such seal the same device as is engraved

(6) To make appropriations for any purpose authorized by this or any other act of the General Assembly

Section 203 Vesting of Corporate Power The corporate power of the county shall be vested in a board of county commissioners

(b) Classification

Section 210 Counties Divided Into Eight Classes For the purposes of legislation and the regulation of their affairs counties of this Commonwealth now in existence and those hereafter created shall be divided into eight classes as follows

(1) First Class Counties those having a population of 1,800,000 inhabitants and over

(2) Second Class Counties those having a population of 800,000 and more but less than 1,800,000 inhabitants

(3) Third class Counties those having a population of 250,000 and more but less than 800,000 inhabitants

(4) Fourth Class Counties those having a population of 150,000 and more but less than 250,000 inhabitants

(5) Fifth Class Counties those having a population of 95,000 and more but less than 150,000 inhabitants

(6) Sixth Class Counties those having a population of 45,000 and more but less than 95,000 inhabitants

(7) Seventh Class Counties those having a population of 20,000 or more but less than 45,000 inhabitants

(8) Eighth Class Counties those having a population of less than 20,000 inhabitants

Section 211 Ascertainment Certification and Effect of Change of Class (a) The classification of counties shall be ascertained and fixed according to their population by reference from time to time to the last preceding decennial United States census deducting therefrom the number of persons residing on any lands that have been ceded to the United States

(b) Whenever it shall appear by any such census that any county has attained a population entitling it to an advance in clasification or that a county has heretofore or hereafter decreased in population so as to recede in classification as herein prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify that fact accordingly to the board of county commissioners on or before the first day of October of the year succeeding that in which the census was taken or as soon thereafter as may be which certificate shall be forwarded by the commissioners to the recorder of deeds and be recorded in his office

(c) Changes of class ascertained and certified as aforesaid shall become effective on the first day of January next following the year in which the change was so certified by the Governor to the county commissioners but the salaries of county officers shall not thereby be increased or decreased during the term for which they shall have been elected In the municipal election following such certification of change of class and preceding the effective date of such change the proper number of persons shall be elected to fill any elective office which will exist in the county by the change of classification certified No election shall be held for any office which will be abolished as a result of such change of classification

Article III

Fixing and Relocating Lines and Boundaries

Section 301 Petition to Superior Court (a) The boundary line betwen any two adjoining counties may be determined surveyed relocated or marked in the manner provided by this article upon petition to the Superior Court

(b) Such a proceeding shall be instituted on petition of any taxpayer the county commissioners or the corporate authorities of any political subdivision of either of the counties involved

Section 302 Superior Court to Designate Neutral Court Appointment of Commission (a) The Superior Court upon the filing of such petition shall designate a court of quarter sessions of a county not affected by the question and not adjoining either of the counties involved to act in the proceeding The court so designated shall sit in its home county

(b) If it appears to the court so designated that the county line or any part thereof should be surveyed or marked it shall appoint a commission composed of three surveyors or professional engineers in civil engineeing to act for the court as hereinafter provided

Section 303 Compensation Assistants and Expenses (a) The surveyors or professional engineers in civil engineering composing such commission shall each receive such compensation as the court shall fix for the time necessarily spent in the discharge of their duties and in addition thereto shall be reimbursed the necessary expenses incurred by them respectively while engaged upon the work of such commission

(b) The commission may employ such assistants as the court shall allow at a compensation to be fixed ny the court and such assistants shall be reimbursed the actual necessary expenses incurred by them respectively while employed by such commission

(c) The necessary expenses of advertising the meeting of the commissioners as hereinafter provided and in procuring and setting the monuments needful to mark in a permanent manner such county line the expenses of the commission and its assistants and all other expenses necessarily incurred shall be paid by the interested counties jointly in equal parts upon presentation of properly itemized bills duly verified by affidavit of the person claiming payment or some one on his behalf

Section 304 Oath Organization and Duties (a) The members of the commission shall take and subscribe an oath to perform their duties impartially and with fidelity

(b) The commission shall meet and organize within two weeks of its appointment It shall select from its membership a chairman and also a secretary who shall keep a full record of the proceedings and work of the commission Before entering upon its duties it shall designate by advertisement in not more than two newspapers published in each of said counties a time and place of meeting when and where parties interested shall be heard After such hearing it shall without unreasonable delay ascertain the location and survey and mark with suitable monuments of a permanent character the existing county line between such counties if it shall consider such old county line a proper one

Section 305 Authority to Fix New County Line (a) When the commission has ascertained located and determined said line if it appears to it that the existing county line from any cause whatever has become inconvenient for any purpose or improper difficult to ascertain or not related to the natural or other land marks the commission shall report these facts or any of them to the court of quarter sessions having appointed the commission with a recommendation that a new county line be established in whole or in part

(b) Thereupon if said court shall be of opinion that it is to the interest and advantage of the respective counties that a new county line be established they may direct said commission to fix and determine a new county line and to mark the same with suitable monuments of a permanent character

(c) Notice shall be given to the counties interested and to the owners of all lands which will be affected by the proposed change of the time when the recommendation of the commission for a new county line will be considered by the court

Section 306 Report of Commission Approval by Court Certification of Line (a) The commission or a majority thereof shall make a report in writing and attach thereto a map or draft showing the courses and distances of the line ascertained and designated by them as the existing county line or where they may have been directed to fix and determine a new county line such map or draft in lieu thereof shall show the courses and distances of such new county line In either case the map or draft also show the lands through which said line passes and the buildings in close proximity thereto together with the roads and streams crossed by or near to such line

(b) The report and map signed by the members of the commission or a majority of them shall be filed in the court of quarter sessions having been given jurisdiction and if approved by such court shall be ordered recorded in the records thereof A copy of the report and approval shall be certified by the clerk of the court to the clerk of the court of quarter sessions of each county affected where it shall be recorded in the records The line so ascertained surveyed and fixed and so marked shall thenceforth be the boundary line between the two counties

(c) The clerk of the court of quarter sessions having determined the matter shall certify the approval of the court on two copies of the report and map filed in his office and within thirty days transmit a copy by mail to the Secretary of Internal Affairs to be by him deposited in his department and another to the Department of Highways

Article IV

County Officers

(a) General Provisions

Section 401 Enumeration of Elected Officers (a) In the

county there shall be the following officers elected by the qualified electors of the county

(1) three county commissioners
(2) one controller
(3) one treasurer
(4) one county surveyor
(5) one coroner
(6) one recorder of deeds
(7) one prothonotary
(8) one clerk of the court of quarter sessions and of the court of oyer and terminer
(9) one register of wills
(10) one sheriff

upon the great seal of the State together with the name of the county

(11) one district attorney
(12) two jury commissioners

(b) All such officers shall be elected at the municipal election next preceding the expiration of the terms of the officers now in office and quadrennially thereafter and shall hold their offices for a term of four years from the first Monday of January next after their election and until their successors shall be duly qualified but in the vent that any such officer so elected excepting a county commissioner shall fail to qualify or if no successor shall be elected then the officer then in office shall continue in office only until the first Monday of January following the next municipal election at which time his successor shall be elected for a term of four years In the case of a county commissioner there shall be a vacancy which shall be filed as provided in this act

(c) All the county officers enumerated in this section shall remain as now constituted This section does not create any office in the county where such office does not now exist

Section 402 Incompatible Offices (a) No elected county officer shall at the same time serve as a member of the legislative body of any city borough town or township of any class nor as school director of any school district nor as a member of any board of health

(b) No member of Congress from this State nor any person holding or exercising any office or appointment of trust or profit under the United States shall at the same time hold or exercise any county office in this State to which a salary fee or perquisites are attached

Section 403 Oath of Office (a) In addition to any oath or affirmation required by any other act of Assembly all county officers their deputies assistants and clerks shall before entering on the duties of their respective offices or employments take and subscribe the following oath or affirmation "I do solemnly swear (or affirm) that I will support obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office (or employment) with fidelity that I have not paid or contributed or promised to pay or contribute either directly or indirectly any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law that I have not knowingly violated any election law of this Commonwealth or procured it to be done by others in my behalf that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office (or employment) other than the compensation allowed by law"

(b) The foregoing oath shall be administered by some person authorized to administer oaths and shall be filed in the office of the prothonotary of the county in which the same is taken Any person refusing to take said oath or affirmation shall forfeit his office Any person who shall be convicted of having sworn or affirmed falsely or of having violated said oath or affirmation shall be guilty of perjury and be forever disqualified from holding any office of trust or profit within this Commonwealth

Section 404 Officers to Have Commissions Recorded Every county officer receiving a commission from the Governor shall immediately deliver the same to the recorder of deeds for recordation at the expense of such officer No such officer shall execute any of the duties of his office until he has so delivered the said commission

Section 405 Offices Records and Papers to be Kept at County Seat (a) The commissioners controller treasurer sheriff recorder of deeds prothonotary clerk of courts of quarter sessions and oyer and terminer clerk of the orphans' court register of wills recorder of deeds and district attorney shall keep their respective offices and all public records and papers belonging thereto at the county seat and in such buildings as may be erected or appropriated for such purpose

(b) The county commissioners shall furnish each of such officers with an office in the county building courthouse or other building at the county seat

(c) Any person failing or refusing to maintain his office and to keep all public records and papers belonging thereto in the buildings appropriated for such purpose in accordance with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment until he complies with the provisions of this section or until sooner discharged by order of the court and to pay a fine not exceeding five hundred dollars to be paid to the use of the county

Section 406 Records Open to Inspection (a) The minute book and other fiscal records and documents of the county may be open to the inspection of any taxpayer thereof but the proper officers may make reasonable rules and regulations respecting the time of such inspection

(b) In case any officer shall refuse to permit the inspection of any fiscal record or document the taxpayer may by petition to the court of common pleas of the county set forth his reasons for desiring to make such inspection and if the court deems such reasons proper it shall order the officer to permit the inspection to be made

Section 407 Officers to Secure Funds Records Books Et Cetera from Predecessors (a) Any person elected or appointed and duly commissioned to any county office shall demand and receive all records books drafts plans papers seals or other official things including all public funds held in such office and not otherwise provided for by the act approved the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1403) known as the Municipal Unclaimed Moneys Act belonging to such office from the person or persons who held the office immediately before his election or appointment or from any other person or persons holding or possessing them

(b) Any person detaining from such a county office any records books drafts plans papers seals or other official things including public funds as herein provided belonging to such office after reasonable demand therefor shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment until the delivery of any such official things found to be in his possession or control to the proper officer or until sooner discharged by order of the court and to pay a fine not exceeding five hundred dllars to be paid to the use of the county

Section 408 Deputies to Act in Certain Cases (a) Whenever any county officer is authorized or required to appoint a deputy or deputies such deputy or principal deputy where there are more than one shall during the necessary or temporary absence of his principal perform all the duties of such principal and also in case of a vacancy until a successor is qualified except in the case of a vacancy in the office of sheriff where the cornoer shall act as hereinafter provided and except also in the case of a vacancy in the office of coroner where the sheriff shall act as hereinafter provided

(b) No person temporarily succeeding to any county office by reason of the death or removal of the duly elected or appointed officer shall execute any of the duties of such office until he has first taken oath and filed the bond required of the principal officer

Section 409 Vacancies Not Otherwise Provided For In case of a vacancy happening by death resignation or otherwise in any county office created by the Con-

stitution or laws of this Commonwealth and where no other provision is made by the Constitution or by the provisions of this act to fill the vacancy it shall be the duty of the Governor to appoint a suitable person to fill such office who shall continue therein and discharge the duties thereof until the first Monday of January next succeeding the first municipal election at which shall occur two or more months after the happening of such vacancy Such appointee shall be confirmed by the Senate if in session

Section 410 County Officials to Furnish Information to Heads of the Governmental Departments (a) It shall be the duty of all county officers to furnish on application thereof to the head of any department of the State government such information and copies of such records or documents contained in their respective offices as in the opinion of such head of department may be necessary or pertinent to the work of his respective department The county so furnishing information shall receive for copying and forwarding the same such reasonable compensation as the Auditor General may determine Such compensation shall be paid to the county by the State Treasurer out of moneys not otherwise appropriated upon warrant from the Auditor General

(b) All county officers shall also furnish to the Department of Internal Affairs such information as may be requested by it

Section 411 Penalty for Neglect or Refusal to erform Duties If any county officer neglects or refuses to perform any duty imposed on him by the provisions of this act or by the provisions of any other act of Assembly or by any rule of court or other provision of law he shall for each such neglect or refusal by guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Section 412 Absconding Officers The office of any county officer absconding from the county shall be vacant to all intents and purposes

(b) Official Bonds

Section 420 Official Bonds Requirements Each of the following officers before entering upon his official duties whether he is elected appointed or appointed to fill a vacancy shall give and acknowledge a bond to the county

(1) Each county commissioner
(2) The chief clerk of the county commissioners
(3) The controller
(4) The county treasurer
(5) The prothonotary
(6) The sheriff
(7) The coroner
(8) The clerk of the court of quarter sessions and oyer and terminer
(9) The clerk of the orphans' court
(10) The recorder of deeds and
(11) The probation and parole officers required by order of court to give bond to the county

Every such official bond shall be joint and several with one or more corporate sureties which shall be surety companies authorized to do busines in this Commonwealth and duly licensed by the Insurance Commissioner of the Commonwealth

Section 421 General Conditions Commissioners Treasurer (a) Each official bond shall be conditioned upon the faithful discharge by the county officer his deputies clerks assistants and appointees of all trusts confided in him by virtue of his office upon the faithful execution of all duties required of him by virtue of his office upon the just and faithful accounting or payment over according to law of all moneys and all balances thereof paid to received or held by him by virtue of his office and upon the delivery to his successor or successors in office of all books papers documents or other official things held in right of his office

(b) The bonds of the county commissioners shall be further conditioned upon the faithful and legal appropriation of county and other moneys in the county treasury upon checks and orders given by them or subject to their control

(c) The bond of the county treasurer shall be further conditioned upon a just account of all moneys that may come into his hands on behalf of any political subdivision within the county or on behalf of any person and for the payment to his successor of any balances of such moneys remaining in his hands

Section 422 Obligees Suits on Bonds (a) Each official bond shall be taken in the name of the county and shall be for the use of the county and the Commonwealth and for the use of such other person or persons for whom moneys shall be collected or as his or her interest shall otherwise appear in case of a breach of any of the conditions thereof by the acts or neglect of the principal on the bond

(b) The county the Commonwealth or any other person may sue upon the said bond in its or his own name for its or his own use Acts of Assembly pertaining to actions and limitations of actions upon official bonds given to the Commonwealth shall apply to the bonds provided for in this subdivision just as if they were given to the Commonwealth except as otherwise specifically provided herein

Section 423 Approved Substitution or Addition of Surety (a) Each official bond shall contain the name or names of the surety company or companies bound thereon and shall be subject to the approval of the court of common pleas which court may require such proofs as to it appear necessary or proper in connection with such bonds

(b) The court may at any time upon cause shown and due notice to the county officer and his surety or sureties require or allow the substitution or the addition of a surety company acceptable to the court for the purpose of making the bond sufficient in amount as required by law without releasing the surety or sureties first approved from any accrued liability or previous action on such bond

Section 424 Custodians of Official Bonds The county controller shall be custodian of all official bonds except that of his own office which shall be held by the county commissioners

Section 425 Acknowledgment Evidence Official bonds shall be acknowledged before the recorder of deeds except that the latter officer shall acknowledge his bond before the prothonotary A copy of any official bond certified as true and correct by the proper officer custodian thereof shall be competent evidence thereof in any judicial proceeding

Section 426 Amounts of Official Bonds Exclusive Provisions (a) Except as otherwise specifically provided by law the amounts of official bonds shall be determined by the salary board

(b) Except as otherwise specifically provided by law this subdivision shall be deemed to contain the exclusive provisions for official bonds of county officers

(c) The provisions of this subdivision shall not apply to bonds required to be given to the Commonwealth by county officers acting as agents of the Commonwealth

Section 427 Premiums of Official Bonds The premiums of all official bonds including the bond of the register of wills shall be paid by the county out of the county treasury

Section 428 Bonds of Deputies and Other Appointees Bonds required to be given by the deputies and appointees of county officers shall be paid for by the county and the amounts thereof shall be designated by the salary board No appointee of a county officer shall be required to give bond unless in a position where he may be handling money or in a position where in the performance of his duties an act of his may cause loss to the county or to any person The salary board shall determine each position for which the requirement of a bond may be justified as aforesaid and shall designate the amount thereof The salary board shall in each case be constituted the same as if it were fixing the salary of the appointee concerned

Section 429 Bond of Register of Wills (a) The register of wills before entering upon the duties of his office shall with one corporate surety or two individual sureties on a form prepared and supplied by the Secretary of the Commonwealth give a joint and several bond to the Commonwealth of Pennsylvania in the sum of thirty thousand dollars ($30,000)

(b) The condition of the bond shall be that the register of wills shall faithfully execute the duties of his office and well and truly account for and pay according to law all moneys received by him for the use of the Commonwealth or for the use of others by virtue of his office and to deliver up the books seals records writings and other official things belonging to his office whole safe and undefaced to his successor in office

(c) Such bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register

(d) Such bond shall be submitted to the Secretary of the Commonwealth for approval and when he approves the same he shall forward the bond together with the commission of the register to the recorder of deeds of the county and so notify the register who shall cause the bond to be recorded in the office of the recorder of deeds After recording the bond the recorder of deeds shall deliver to the register his commission and forward the bond to the Secretary of the Commonwealth for filing

(e) The bond required by this section shall be the official bond of the rgister of wills in lieu of the official bonds required by this subdivision for other county officers

Section 430 Form of Bond of Sheriff The form of the bond to be given by the sheriff and his sureties shall be as follows to wit "Know all men of these presents that we (a b c d and e f) are held firmly bound unto the County of ..... in the sum of ..... dollars to be paid to the said County or to the Commonwealth for the uses intents and purposes declared and appointed by law to which payment well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals dated ..... day of ..... Anno Domini ..... The conditions of the above obligation are such that if the said (a b) shall and do without delay according to law well and truly serve and execute all writs and process of the Commonwealth of Pennsylvania to him directed and shall and do from time to time upon request to him for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs or process their lawful attorney factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to his hands and shall and do from time to time and at all times during his continuance in the said office well and faithfully execute and perform all and every of the trusts and duties to the said office appertaining then this obligation to be void or else to be and remain in full force and virtue"

Section 431 Amount of Official Bonds The amount of the bond to be given by county officers shall be as follows

Of the clerk of the courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace ten thousand dollars

Of the county commissioners ten thousand dollars each

Of the county controller fifty thousand dollars

Of the coroner fifteen thousand dollars

Of the register of wills thirty thousand dollars

Of the prothonotary forty thousand dollars

Of the recorder of deeds twenty thousand dollars

Of the sheriff sixty thousand dollars

Of the county treasurer two hundred thousand dollars

(c) State Associations

Section 432 State Associations Authorized County officers of the county may join with county officers of other counties of the Commonwealth and organize a State association as follows

(1) The county commissioners together with the county solicitor and the chief clerk to the county commissioners

(2) The county controllers

(3) The sheriffs

(4) The district attorneys

(5) The probation officers

(6) The registers of wills

(7) The prothonoatries and clerks of courts of quarter sessions

(8) The county treasurers

(9) The recorders of deeds

(10) The directors of veterans' affairs

Section 433 Purpose Annual Meetings (a) The purpose of the rspective State associations shall be to discuss and resolve the various questions arising in the discharge of the duties and functions of the respective officers and to provide uniform efficient and economical methods of administering the affairs of the counties pertaining to their offices

(b) In order to achieve such purposes by cooperation coordination and full exchange of information each State association is authorized to hold an annual meeting at such time and place within the Commonwealth as it may designate

(c) Both the association of county controller and the association of county treasurers may meet in joint session with the association of county commissioners solicitors and chief clerks if such associations mutually so agree but in any case each association shall have a separate session on at least two days of the annual meeting

Section 434 Deputies or Solicitors May Attend Annual Meetings The deputy conrtoller the solicitor to the controller the deputy sheriff or solicitor to the sheriff the deputy register of wills or solicitors to the register of wills and the deputy treasurer may attend the annual meetings of his respective associations either together with the controller sheriff register of wills or treasurer as the case may be or in his place

Section 435 Expenses of Attending Members to be Paid by County Time Limit on Meetings (a) The actual reasonable expenses of all county officers authorized to attend the annual meetings of their associations including hotel bills shall be paid by the county out of general county funds Such expense shall not exceed twenty dollars per day together with eight cents per mile in going to attending and returning from such meeting

(b) The annual meeting of the association of county commisisoners county solicitors and chief clerks shall not exceed four days that of the district attorneys shall not exceed two days and those of all other State associations shall not exceed three days in every case exclusive of the time spent in traveling to and from the said meetings

Section 436 Other Meeting Expenses Paid by County (a) In addition to the expenses hereinbefore authorized the necessary expenses of the annual meetings of the asociations hereinafter named including printing committee expenses and stenographical expense shall be paid in equal parts by the counties whose officers are members of the respective associations

(b) In the case of the county controllers the sheriffs and the registers of wills the portion of the annual expenses charged to each county shall not exceed seventy five dollars ($75) in the case of the county commissioners county solicitors and chief clerk the portion of the annual expenses charged to each county shall not exceed sixty-two dollars and fifty cents ($62.50) and in the case of the prothonotaries and clerks of courts of quarter sessions the county treasurers the recorders of deeds and the directors of veterans affairs the portion of the annual expenses charged to each county shall not exceed thirty-one dollars and twenty-five cents ($31.25) and in the case of the probation officers an annual membership subscription not exceeding six dollars and twenty-five cents ($6.25) per member shall be paid by the county and shall be in lieu of the expenses hereinbefore in this section provided for other county officers

Section 437 Annual Assessments for County Commissioners Etc (a) In addition to the expenses hereinbefore authorized the necessary expenses of the asociation of county commissioners county solicitors and chief clerks shall be apportioned among the counties holding membership in the asociation in amounts provided for by the rules and regulations of the association but shall not total more than three hundred fifty dollars ($350) for counties of the second class

(b) Such annual apportionments of expenses shall be as approved at each annual convention of the said association by a majority vote of the members present and when so approved shall be paid from general county funds

(d) Removal of County Officers

Section 450 Removal of County Officers and Appointees (a) The county commissioners the sheriffs coroners prothonotaries registers of wills recorders of deeds treasurers surveyors controllers clerks of the courts district attorneys and any other officers of the county whether elected or duly appointed to fill a vacancy shall be removable from office only by impeachment or by the Governor for reasonable cause after due notice and full hearing on the advice of two-thirds of the Senate or upon conviction of misbehavior in office or of any infamous crime in accordance with the Constitution of this Commonwealth but their title to office may be tried by proceedings of quo warranto as provided by law

(b) Appointees to county offices or positions other than to elected offices shall be subject to removal at the pleasure of the appointing power except as otherwise expressly provided by law and they shall also be removed on conviction of misbehavior in office or of any infamous crime

(e) Conduct of Official Business

Section 460 Meetings Open to Public (a) All meetings regular and special of the board of county commissioners and of all boards commissioners and authorities created by or operating as agencies of the county are hereby declared to be public meetings open to the public at all times

(b) Nothing contained in this section shall prevent the county commissioners or any such board commission or authority from holding executive sessions from which the public is excluded but no final official action shall be taken as to any proposed or existing resolution ordinance rule or regulation or part thereof at such an executive session

(f) Destruction of Valueless Records

Section 470 Authority to Destroy Valueless Records Approval of Courts (a) Whenever any officer of the county shall have an accumulation of records or other papers in his office which such officer shall deem valueless he may destroy and dispose of the same provided he shall have first obtained the approval of the court of common pleas or of the orphans' court of the county in the case of the office of register of wills or clerk of the orphans' court

(b) In any such case the court of common pleas or the orphans' court as the case may be may prescribe such conditions including the duty on such officer and the county commissioners to have copied and replaced any such records or papers by such mechanical process as is authorized by law as such court shall deem advisable

(c) The provisions of this section shall not apply to the recorder of deeds of the county except as to written instruments documents or papers lodged for record and recorded and which were thereupon returnable to the persons entitled thereto when such persons have failed to call for the same after a period of one year from the time they were ready for delivery and return

Section 471 Destruction of Retired Public Bonds and Insurance Policies The county commissioners are hereby authorized and empowered to destroy by incineration under the terms and conditions hereinafter provided retired public bonds and coupons whether serial or otherwise and expired insurance policies on county property

Section 472 Petition to Common Pleas for Order for Destruction (a) Bonds of the county which have heretofore matured or may hereafter mature and all coupons pertaining to the same upon redemption by the treasurer of the county and all expired insurance policies on county property both real and personal which have been expired for a period of not less than six years may be destroyed by incineration at a place to be deisgnated by the county commissioners Before the destruction of any such public records there shall first be filed a petition in the court of common pleas of the county by either the county commissioners the county controller or the county treasurer or by all of them jointly setting forth full and detailed information about the numbers valuations and maturity dates of the bonds so to be destroyed and full and detailed information in regard to the insurance policies including the date of issuance the name of the risk the amount of the coverage the date of expiration and the disposition of any claim made in regard to said policy or policies so to be destroyed

(b) In case of the failure or refusal of either the county commissioners the county controller or the county treasurer to join in the prayer of the said petition the court shall make a preliminary order upon those officers failing or refusing to sign said petition to show cause why such destructions should not be effected said rule to be returnable in ten days

(c) After a hearing thereon the court of common pleas of the county shall make such order as it may deem advisable and proper under the facts After an order for said destruction of said public records if the court of common pleas grants the prayer of the petition for the said destruction of said bonds and coupons and insurance policies the county commissioners shall at an appointed place designated by them at a period not less than sixty days from the date of said order publicly destroy said records and the county controller shall make a minute in his office of such records destroyed

Article V

County Commissioners and Chief Clerk

(a) Commissioners

Section 501 Election Vacancies (a) Three county commissioners shall be elected in the county in the year one thousand nine hundred and fifty-five and every fourth year thereafter In the election of commissioners each qualified elector shall vote for no more than two persons The three persons having the highest number of votes shall be elected

(b) Any vacancy in the office of county commissioners shall be filled for the balance of the unexpired term by the court of common pleas of the county by the appointment of an elector of the county who voted for the commissoioner whose place is to be filled

Section 502 Organization The county commissioners shall meet on the first Monday of January in the year one thousand nine hundred and fifty-six and on the first Monday of January every fourth year thereafter in the office provided for them at the county seat for the purpose of organization

Section 503 Quorum Execution of Official Instruments (a) The commissioners shall constitute a board two members of which shall be a quorum for the transaction of business and when convened in pursuance of notice or according to adjournment shall be competent to perform all the duties appertaining to the office of county commissioners

(b) Where any official document instrument or official paper is to be executed by the county commissioners it shall be done by at least two of the commissioners and attested by the chief clerk who shall affix the county seal thereto

Section 504 Certified Copies of Proceedings to be Evidence Copies of the proceedings of the commissioners and of all records in their possession certified by their chief clerk under the county seal shall be admitted in

evidence in any of the courts of this Commonwealth

Section 505 Power to Administer Oaths The commissioners shall respectively have power to administer oaths and affirmations in all cases arising in the performance of the duties of their office

Section 506 Expenses The county commissioners shall be allowed their expenses necessarily incurred and actually paid in the discharge of their official duties or in the performance of any service office or duty imposed upon county commissioners

Section 507 Office Furniture Stationery Etc (a) The county commissioners at the cost of the county shall purchase and provide the office furniture equipment and supplies blank books blanks dockets books for records stationery postage fuel light and janitor and telephone service required for each of the county officers whose offices are located in the county buildings or at such other places at the county seat as may be designated by the commissioners and all supplies used by the public in connection with such offices

(b) The county commissioners at the cost of the county shall purchase and provide all of the same items as needed for each of the county officers whose offices are not required by law to be kept and maintained in county buildings or at the county seat

Section 508 Ordinances and Resoutions (a) The board of commissioners may adopt resolutions and ordinances prescribing the manner in which powers of the county shall be carried out and generally regulating the affairs of the county

(b) All such ordinances unless otherwise provided by law shall be published at least once in one newspaper of general circulation in the county Such ordinances shall not become effective until ten days after the publication aforesaid In any case in which maps plans or drawings of any kind are adopted as part of an ordinance the commissioners may instead of publishing the same as part of the ordinance refer in publishing the ordinance to the place where such maps plans or drawings are on file and may be examined

(c) The board of county commissioners may also prescribe fines and penalties not exceeding five hundred dollars ($500) for the violation of county ordinances which fines and penalties may be collected by suit brought in the name of the county in like manner as debts of like amount may be sued for

Section 509 Take Money and Property By Gift Etc The county commissioners may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of the county and the care and management investment sale reinvestment and disposal of such trust funds or property shall be vested in the sinking fund commission and shall be governed thereby subject to such direction as the donors of such funds and property may prescribe

(b) Chief Clerk of County Commissioners

Section 520 Chief Clerk The county commissioners shall appoint a chief clerk

Section 521 Duties and Powers of Chief Clerk (a) The chief clerk shall keep the books and accounts of the board of county commissioners record and file their proceedings and papers attest all orders and warrants issued by them and perform all other duties pertaining to his office as chief clerk

(b) He shall have general power to administer oaths and affirmations pertaining to the business of the office of the county commissioners

Article VI

Controller

Section 601 Election and Term Seal (a) At the municipal election immediately preceding the expiration of the term of the controller now in office and quadrennially thereafter the qualified electors of the county shall elect one citizen of the county who shall serve as controller for the term of four years from the first Monday of January following his election or until his successor shall be qualified if he so long shall behave himself well

(b) The county controller shall be provided with an official seal of his office by the county commissioners of the county which shall be used for the attestion of all official papers

Section 602 Eligibility (a) No person holding office under the United States shall be eligible to the office of county controller during his continuance in such office nor until one year thereafter

(b) The county commissioners county treasurer prothonotary register of wills clerk of the courts recorder of deeds sheriff and districts attorney and their chief clerks or deputies shall be ineligible during their continuance in such office and for two years thereafter to the office of county controller

(c) The controller shall always be eligible to reelection or appointment

Section 603 Deputy Controller and Clerks (a) The controller shall appoint a deputy controller and clerks and may authorize one or more of the clerks employed in his office to administer to all persons oaths and affirmations pertaining to the business of the office with the same force and effect as if administered by the controller or deputy controller

Section 604 Solictor to the Controller The county controller may designate and appoint one person learned in the law to act as his solicitor Such solicitor shall advise upon all such legal matters as may be submitted to him and shall conduct any litigation desired by the county controller He shall hold office at the pleasure of the controller He shall receive such salary as may be fixed by the salary board

Section 605 Expenses The county controller and his deputy clerks and employees shall be allowed their expenses necessarily incurred and actually paid in the discharge of their official duties or in the performance of any service or duty imposed upon them

Article VII

Lot and Block System

Section 701 County Commissioners to Establish The county commissioners are hereby empowered to establish in the office of the county controller the lot and block system for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation

Section 702 Systems which may be adopted In establishing the said lot and block system the commissioners may adopt any system covered by such designation now in use either in municipalities in the Commonwealth or in use in the municipalities in other states or a combnaton of such systems as they shall deem proper in order to supply the needs of said county

Section 703 Cost and Expense For the purpose of defraying the cost and expense of establishing said lot and block system the commissioners may use current tax revenue or may issue general obligation bonds in such amounts as are necessary and in such manner as provided by the Municipal Borrowing Law

Section 704 Part of System Transferred to Deed Registry Office Part Maintained in Office of Controller When installation of the lot and block system has been completed the division of said system having custody of the plats and plat books and the upkeep of the same shall be transferred to the deed registry office of said county and the files cards indexes and records relating to the liening of county taxes shall remain in and be maintained by the office of the controller of said county The deed registrar and the controller of the county are hereby charged with and required to operate and maintain the several portions of the lot and block system placed in their custody as herein provided

Section 705 Putting System into Effect Where the commissioners have established the lot and block system in the office of the county controller and where the county

controller has certified to the commissioners that said system has been completely installed in either the whole of the county or completely installed in one or more municipal subdivisions thereof then the commissioners shall proceed to put said system into effect in the manner hereinafter set forth

Section 706 Petition to Common Pleas Determination Order Immediately upon the receipt of the certification of completion from the county controller the commissioners shall present their petition to the Court of Common Pleas setting forth the establishment of such lot and block system the fact of its completion either in the county as a whole or within one or more municipal subdivisions and a brief statement describing the method of operation of the lot and block system so established If the court shall determine that the said system has been established in accordance with the provisions of this article and has been completed it shall make an order placing the same in effect as of the first Monday of January next succeeding such order

Section 707 Effect of Order Correction of Assessments Recording Instruments Tax Bills Liens Tax Sales The effect of the order of the Court of Common Pleas shall be as follows

(a) The district assessors appointed by the Board of Property Assessment Appeals and Review whose assessments are being made within the municipal subdivisions that have had the lot and block system completed therein shall immediately proceed to correct their original books of assessment by adding thereto the lot and block system descriptive numbers

(b) The Board of Property Assessment Appeals and Review shall as to assessments already in its hands which assessments are within municipal subdivisions covered by said order or orders of court correct such assessments by adding thereto the lot and block system descriptive numbers

(c) The recorder of deeds shall receive for recording any deed or mortgage that shall refer to a specific parcel of real estate whether or not said deed or mortgage shall bear the certification by the custodian of the lot and block system that the lot and block system descriptive numbers incorporated in the description of the real estate described therein are correct but before transcribing any such deed or mortgage lacking the certification he shall obtain the same from the custodian of the lot and block system

(d) The treasurer or tax collector of each city borough town township or school district where the lot and block system has been completed under the order of court shall place upon each tax bill sent out and upon each tax receipt issued upon payment the lot and block system descriptive numbers

(e) The county controller in the case of the county and the treasurer tax collector or solicitor as the case may be in each city borough township or school district within which the lot and block system has been completed shall at the time of filing liens for unpaid taxes with the prothonotary set forth on such liens the individual lot and block system descriptive numbers and the prothonotary shall not receive and file such liens unless the said descriptive numbers are contained thereon

(f) For the purposes of the sale of real estate for delinquent taxes either by the sheriff of the county or by the commissioners and treasurer of the county or by the treasurer of any city the lot and block system descriptive numbers are hereby declared to be sufficient description for the advertising preceding such sale for the oral description read at such sale prior to receiving bids and for the purposes of the description to be inserted in any tax deed to be given to the purchaser at such sale

Article VIII

Treasurer

Section 801 County Treasurer Eligibility No judge clerk or prothonotary of any court register of wills recorder of deeds county commissioner or county controller shall be eligible to serve as county treasurer during their continuance in office No county treasurer shall be eligible for the term next succeeding the one for which he may be elected

Section 802 Bond in Favor of Commonwealth The county treasurer shall before entering upon the duties of his office give bond with sufficient security to be approved of by at least two of the judges of the court of quarter sessions in the county and in such penalty as the said judges shall deem sufficient conditioned for the faithful discharge of all duties enjoined upon him by law in behalf of the Commonwealth and for the payment according to law of all moneys received by him for the use of the Commonwealth which bond shall be taken by and acknowledged before the recorder of deeds of the county and recorded in his office and the original bond shall be forthwith transmitted to the Auditor General The cost of the bond its acknowledgment and recording shall be borne by the Commonwealth

Copies of the record of such bond duly certified by the recorder of deeds for the time being shall be good evidence in any action brought against such treasurer or his sureties on such bond according to its form and effect in the same manner as the original would be if produced and offered in evidence

Section 803 Removal from Office for Failure to Transmit Bond to Auditor General If the county treasurer shall fail to transmit to the Auditor General within one month after his election or appointment the bond required by the preceding section he shall be deemed to have forfeited his right to the office if he has entered upon the duties thereof he shall be ousted in an action of quo warranto in the name of the Commonwealth upon the relation of the Attorney General or of the district attorney of the county if the latter is so directed by the county commissioners

Section 804 When Auditor General to Deliver Up Bond of Treasurer The bond and obligation of the county treasurer shall be held by the Auditor General for one year after the settlement of his accounts with the Commonwealth and thereafter if the Auditor General and State Treasurer are fully satisfied that the county treasurer has settled his accounts and paid all sums due the Commonwealth said bond and obligation shall upon request be delivered to any person entitled to the same

Section 805 Misapplication of Funds Collected for Specific Purposes Whenever any moneys are collected by law in any county for any special purpose and paid into the hands of the treasurer of the county it shall be unlawful for such treasurer to apply such moneys or any part thereof to any other purpose than that for which such moneys were collected Every such misapplication shall be a misdemeanor upon conviction whereof the treasurer shall be punished by a fine of not less than the amount so misapplied and by imprisonment for not less than three months nor more than one year

Section 806 Deputy Treasurer The county treasurer is hereby authorized to appoint a deputy county treasurer who shall perform such duties as shall be prescribed by the county treasurer

Article IX

County Solicitor

Section 901 Appointment Qualifications The county commissioners shall appoint a county solicitor who shall be an attorney-at-law admitted to practice in the courts of this Commonwealth He shall before entering upon the duties of his office file with the county commissioners an agreement to pay all fees attorneys fees and commissions received from every source as county solicitor into the county treasury

Section 902 Duties He shall commence and prosecute all suits brought or to be brought by the county wherein or whereby any rights privileges properties claims or demands of the county are involved as well as defend all actions or suits brought against the county and shall

perform all duties now enjoined by law upon county solicitors and shall do all and every professional act and render legal advice incident to the office which may be required of him by the commissioners

Section 903 Employes The county solicitor may with the approval of the county commissioners appoint such clerks and stenographers as may be necessary in the discharge of his duties

Section 904 Assistant Solicitors The county solicitor may with the consent of the county commissioners appoint to assist him in the discharge of the duties of his office assistant county solicitors and special counsel who shall be attorneys-at-law admitted to practice in the courts of this Commonwealth Each assistant and special counsel shall perform such duties in connection with the legal affairs of the county as may be assigned to him by the county commissioners or the county solicitor

Article X

Surveyor and Engineer

Section 1001 County Surveyor Qualifications Duties and Compensation Vacancies The county surveyor to be elected as hereinbefore provided shall be a practical surveyor and shall perform all the duties assigned to him by the county commissioners or by law

Any vacancy occasioned by death resignation removal or otherwise hall be filled by the court of quarter sessions by the appointment of a competent person being a practical surveyor to fill such vacancy during the balance of the unexpired term

Section 1002 County Engineer Appointment Term The county commissioners of the county may appoint a professional engineer in civil engineering who shall be styled the county engineer Such engineer shall serve at the pleasure of the commissioners

Section 1003 Duties The county engineer shall prepare plans specifications and estimates of all engineering work undertaken by the county and whenever required shall furnish the commissioners with reports information or estimates on any such work and in general shall perform all such duties with reference to any county engineering work as the county commissioners may from time to time prescribe

Article XI

Board of Viewers

Section 1101 Number of Members Qualifications There is hereby established in the county a board of viewers The board of viewers shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such member as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

Section 1102 Qualifications Each member of the board of viewers must be at least 25 years of age a freeholder and a qualified elector of the county and not engaged in any public employment of profit The office of any member of the board shall be vacant immediately upon his ceasing to be a resident of the county in which he was appointed or upon his ceasing to possess any of the qualifications above required The court of common pleas shall from time to time determine summarily any facts thus bringing about a vacancy in the office

Section 1103 Appointment of Members Vacancies Rules and Regulations The members of the board of viewers shall be appointed by the judges of the court of common pleas All vacancies happening from any cause shall be filled by appointment by the judges of the court of common peas

The court of common pleas of the county shall make such rules and regulations for the government of said board and the proceedings thereof as they respectively shall deem proper which rules and regulations said court may from time to time alter amend modify or rescind

Section 1104 Term of Office Removal Each of the members of the board of viewers shall be appointed for a term of three years from the date of his appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies occur All appointments shall be subject to the power of the court of common pleas at its pleasure to remove members of said board before the expiration of their respective term of office and to appoint successors

Section 1105 Power to Administer Oaths Any member of any board of viewers shall have general power to administer oaths and affirmations to other viewers of the same county to witnesses before them and to other persons pertaining to the business and duties of the board of viewers

Section 1106 Clerks and Stenographers The board of viewers may employ such stenographers and clarical assistants as shall be authorized by the salary board

Article XII

Sheriff And Coroner

(a) Sheriff

Section 1201 Unfinished Business of Outgoing Sheriff (a) It shall be the duty of every outgoing sheriff to deliver all unfinished and unexecuted writs and process whatsoever to his successor whose duty it shall be to receive and execute the same as if said writs and process had been originally issued and directed to him and to carry out and complete all other official duties of his predecessor

(b) Whenever any real estate shall be sold under any execution by a sheriff who shall in any lawful manner be succeeded in office before any deed shall be executed and acknowledged by him in due form of law for such real estate his successor in office shall have the same power and be under the same duty to execute and acknowledge a deed for such real estate to the purchaser thereof as the sheriff selling such real estate under execution if he were still in office which deed so executed shall be as effectual in law as if the title had been completed by the former sheriff

(c) No court order shall be necessary in any event to authorize an incoming sheriff to carry out his duties as prescribed by this act

Section 1202 Sheriff May Act by Deputy Whenever the sheriff is or shall be required by law to act in person under or by virtue of any writ or process whatsoever issued by the courts of this Commonwealth he may act either in person or by a regularly appointed deputy sheriff

Section 1203 Chief Deputy The sheriff of the county shall appoint by commission duly recorded in the office for recording deeds a chief deputy whose appointment shall be revocable by the sheriff at pleasure on recording in said office a signed revocation thereof The chief deputy during his continuance in office shall have full power and authority to perform any duty incumbent upon such sheriff with like effect in law as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office Nothing in this section shall operate to relieve such sheriff or his sureties from liability upon their official bond

Section 1204 Real Estate Deputy The sheriff may have a real estate deputy to take charge of all matters relating to sheriff's sales of real estate and distributions of the proceeds thereof whose appointment shall be made and be revocable as hereinbefore provided for the chief dputy Such deputy shall have full power to perform all duties incumbent upon the sheriff in like manner as his chief deputy with like effect in law as if such official acts had been done by the sheriff in person Such duties

shall include the execution and acknowledgment of sheriff's deeds for real estate upon receipt of the purchase price thereof Nothing in this act shall operate to relieve the sheriff or his sureties from liability upon their official bonds but such liability shall continue as heretofore

Section 1205 Deputies and Clerks The sheriff of the county may appoint such deputies and clerks as may be necessary to properly transact the business of his office He may revoke the appointment of deputies in the same manner as his chief deputy

Section 1206 Deputy Sheriffs Qualifications A sheriff shall not appoint any person a chief deputy or any other deputy sheriff unless the sheriff files with the prothonotary prior to the appointment of such person the name and photograph of such person together with an affidavit of such person setting forth the following

(1) His full name age and residence address

(2) That he is a citizen of the United States and twenty-one years of age or over

(3) That he has resided in the county for a period of at least two years immediately preceding the filing of such affidavit

(4) That he has never been convicted of a crime involving moral turpitude under the laws of this Commonwealth or of any other state or of the United States

(5) That he has not for a period of two years immediately preceding the filing of such affidavit acted either for himself or as the agent or employe of another in any labor dispute or hired himself out or performed any service as a private detective private policeman or private guard in any labor dispute or received any fee or compensation whatsoever for acting as a private detective private policeman or private guard in any labor dispute or conducted the business of a private detective agency or of any agency supplying private detectives private policemen or private guards or advertised or solicited any such business in this Commonwealth in connection with any labor dispute

Section 1207 False Statements in Deputy's Affidavit Any false statement contained in any such affidavit shall constitute perjury and shall be punishable as such

Section 1208 Filed Items Public Records The name photograph and affidavit of any such person so filed with the prothonotary shall constitute a public record

Section 1209 Public List of Applicants for Deputy Sheriff The sheriff shall from time to time prepare a list of the names of all persons who have applied for appointment as deputy sheriff and who meet the qualifications hereinbefore prescribed Such list shall be posted in a public place for a period of not less than ten days and thereafter shall be filed in the office of the prothonotary No deputies shall be appointed by the sheriff whose names do not appear on said list

Section 1210 Private Services Gifts and Payments Contracts Prohibited (a) No sheriff deputy sheriff detective or other county police officer whatsoever shall perform directly or indirectly any official services or official duties for any person association or corporation or receive directly or indirectly any compensation gifts or gratuities from any person association or corporation during the period of his official services Nothing herein contained shall prohibit such officers from serving writs and other legal process as authorized by law Any compensation payable to any such officer for official duties and services shall be paid only out of the public funds to the amount and in the manner prescribed by law gifts donations and gratuities of any nature whatsoever made by any person association or corporation to the county or to any official or agent thereof shall not constitute public funds within the meaning of this section

(b) No county or any official or agent thereof shall accept as a gratuity gift or donation any arms ammunition military supplies tear gas or equipment or supplies or article of a similar character from nor shall any such gratuity gift or donation be made by any person association or corporation

(c) Any contract or agreement whatsoever made in violation of the provisions of this section shall be utterly void and of no effect in law or in equity and is hereby declared to be contrary to public policy

Section 1211 Penalties Any sheriff deputy sheriff or any other county police officer whatsoever or any other official of the county or any person association or corporation violating any of the provisions of sections 1206 1209 or 1210 of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or to undergo imprisonment for not less than ninety (90) days nor more than two years or both

Section 1212 Construction Nothing contained in sections 1206 or 1210 of this act shall be construed

(a) To prohibit the payment by any person association or corporation of fees or compensation for county police or other peace officers assigned to exhibitions athletic contests or other recreational activities

(b) To prohibit the appointment employment or compensation by the county in the manner expressly provided by law of (1) night watchmen (2) railroad police (3) bank police (4) payroll police (5) special policemen to police and protect cemeteries and grounds and buildings open to the public or to enforce laws for the prevention of cruelty to persons or animals (6) fire police whose only duty shall be to direct traffic and maintain order to at or from fires (7) police or guards employed by nonprofit corporations or organizations

Section 1213 Solicitor The sheriff may appoint one person learned in the law and admitted to practice in the county of this Commonwealth as his solicitor Said solicitor shall advise the sheriff upon all legal matters that may be submitted to him and shall conduct any litigation in connection with the sheriff's office when requested so to do by the sheriff

Section 1214 Sheriff to Act as Coroner in Case of a Vacancy If the coroner shall be legally removed from his office or shall die before the expiration of the term for which he was commissioned the sheriff of the county shall execute the office of coroner and perform all things thereunto appertaining until another coroner is commissioned and notice thereof is given to such sheriff

Section 1215 Sheriff to Keep Docket Every sheriff and every coroner acting as sheriff shall provide and keep in his office a book or books in which he shall enter all writs that may come to him and the proceedings thereon and at the expiration of his term of office such book or books shall be deposited in the office of the prothonotary for the inspection of all persons interested therein

(b) Coroner

Section 1231 Deputies The coroner may appoint one or more deputies to act in his place and stead as he may deem proper and necessary Such deputy or deputies shall have the same powers as the coroner

Section 1232 Duties with Respect to County Morgues The coroner of the county shall make general rules and regulations for the government and control of county morgues and shall appoint suitable persons for such morgues so established to have charge of the same and who shall be removable at the pleasure of the coroner The number of such persons and the salary of each shall be fixed by the salary board

Section 1233 Removal of Bodies to Morgue Whenever the body of any deceased person who is unidentified or which body is unclaimed by proper persons has been found within the county it shall be removed to the county morgue The coroner shall if he deems it necessary cause any such body to be properly embalmed or prepared for preservation for such length of time as he may think proper Any such body shall be examined or inspected only by such persons as the coroner authorizes in writing or who are admitted in his presence No such body shall be removed from any such morgue except upon the certificate of the coroner

Section 1234 Ambulance In the county the county commissioners shall furnish and maintain from the general funds of the county an ambulance for the removal of bodies of deceased persons to and from the morgue and for the burial of unclaimed bodies The coroner may provide rules and regulations for the use and maintenance of the ambulance

Section 1235 Unclaimed Property of Deceased Sales (a) The coroner shall safely keep in his charge all personal effects and property which appear to have been on or about the person at the time of his death or being found on any decedent whose body is received at the county morgue and all such effects and property which are delivered to him according to law The coroner shall hold such property for one year unless sooner claimed by legal representatives of the deceased or otherwise duly and lawfully claimed or disposed of

(b) After one year the coroner shall cause such property remaining unclaimed or so much thereof as remains undisposed of according to law except moneys and such properties as securities which may not be subject to such a sale which shall be turned over to the commissioners for proper disposition or use to be sold at public sale

(c) Notice of any such public sale shall be published in at least one newspaper of general circulation in the county once a week for three successive weeks The proceeds of all such sales shall be paid immediately into the county treasury and the coroner shall make a written report thereof to the county commissioners under oath at the same time If the body has been buried at the expense of the institution district the county shall pay the proceeds of sale or such property as was not subject to sale as hereinbefore provided less costs over to the institution district The foregoing provisions shall be in lieu of escheat to the Commonwealth

Section 1236 Coroner's Investigations The coroner having a view of the body shall investigate the facts and circumstances concerning deaths which appear to have happened within the county regardless where the cause thereof may have occurred for the purpose of determining whether or not an inquest thereof should be had in the following cases (1) Any sudden as hereafter defined violent or suspicious death (2) any death wherein no cause of death is properly certified by a person duly authorized thereof (3) any death resulting from a mine accident as directed by law (4) deaths resulting from drownings cave-ins and subsidences (5) any stillbirth or the death of any baby dying within twenty-four hours after its birth and in addition thereto (6) the death of any prematurely born infant wherein the cause of death is not properly certified by a person duly authorized thereto

The purpose of the investigation shall be to determine whether or not there is any reason sufficient to the coroner to believe that any such death may have resulted from the criminal acts or criminal neglect of persons other than the deceased rather than from natural causes or by suicide

Section 1237 Inquest Autopsy Coroner's Duties Records If upon the investigation by the coroner he shall not be satisfied thereby that the death resulted from natural causes or by suicide he shall proceed to conduct an inquest upon a view of the body as provided by law In the conduct of the inquest the coroner may require such an autopsy as may be necessary in accordance with law At the inquest the coroner's duty shall be to ascertain the cause of death and whether any person other than the deceased was criminally responsible therefor by act or neglect and if so the identity of the person and any further evidence and witnesses regarding the crime The proceedings at the inquest shall be recorded at the expense of the county in a manner to be provided by the county commissioners and any salary that may be required for this purpose shall be fixed by the salary board

Section 1238 Sudden Deaths Defined The coroner shall regard any death as sudden if it occurs without prior medical attendance by a person who may lawfully execute a certificate of death in this Commonwealth or if within twenty-four hours of death the decedent was discharged from such medical attendance or a change of such medical attendance had occurred or if any such medical attendance began within twenty-four hours of death and the medical attendant refuses or is unable to certify the cause of death Medical attendance includes hospitalization

The provisions of this section shall not be construed to affect the coroner's discretion as to whether or not any death was suspicious nor shall they be construed to authorize a coroner to investigate a sudden death any further than necessary to convince him that the death was from natural causes and not from any criminal act or neglect of another

Section 1239 Bodies not to be Moved In all cases where the coroner has jurisdiction to investigate the facts and circumstances of death the body and its surroundings shall be left untouched until the coroner has had a view thereof and until he shall otherwise direct or authorize except as may be otherwise provided by law or as circumstances may require Bodies upon a public thoroughfare or in other places may be removed so much as is necessary for precaution against traffic accidents or other serious consequences which might reasonably be anticipated if they were left intact

Section 1240 Release of Coroner's Jurisdiction Whenever the coroner assumes jurisdiction of a body pursuant to the provisions of this subdivision or of any other law the body shall not be released or removed from his jurisdiction except upon his direction and consent in accordance with law

Section 1241 Cooperation with District Attorney In the exercise of his duties as contained in this subdivision the coroner shall so far as may be practicable consult and advise with the district attorney

Section 1242 Certificate of Cause of Death The coronor shall issue a certificate of cause of death in all cases referred to him by the local registrar of vital statistics pursuant to the provisions of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) known as the Uniform Vital Statistics Act and in all other cases of which he has jurisdiction if no person duly authorized by the said act certifies the cause of death

Section 1243 Power of Supoena and Attachment The coroner shall have power to issue subpoenas to obtain the attendance of any person whom it may be necessary to examine as a witness at any inquest and to compel attendance by attachment in like manner and to the same extent as any court of oyer and terminer and general jail delivery of this Commonwealth may or can do in cases pending before them and also to compel in like manner the production of all papers and other things relative to such inquest Such subpoena and attachment shall be served and executed by the sheriff or by the coroner himself or his deputy as the case my require

Section 1244 Power to Administer Oaths The coroner shall have power to adminster oaths and affirmations to all persons brought or appearing before him and any person swearing or affirming falsely on such examination shall be guilty of perjury

Section 1245 Commitment to County Prison If any person appearing before the coroner for examination shall refuse to take oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall be put to him by the coroner touching the matters of the inquest such person so refusing may be committed by the coroner to the county jail by warrant under his hand and seal directed to the sheriff or any constable of the county setting forth particularly the causes of such commitment until he shall submit to be sworn or affirmed or to make answers to such questions or be otherwise legally discharged

Section 1246 Inquests Not Public The coroner may in his discretion admit or exclude members of the public from any inquest or part thereof and admit or exclude any person interested or suspected from such inquest or any part thereof No person excluded may appear by attorney but any person required to attend may have benefit of counsel at such attendance

Section 1247 Coroner to Act as Sheriff in Case of Vacancy If the sheriff shall be legally removed from his office or shall die or resign before expiration of the term

for which he was commissioned the coroner of the county shall execute the office of sheriff and perform all things thereunto appertaining until another sheriff is commissioned and notice thereof is given to such coroner

Section 1248 Vacancies No Fees upon Commissions If any person elected to the office of coroner shall neglect or refuse for the space of two months next after such election to assume the duties of said office and to comply with the requirements of the acts of Assembly in such cases the office shall be vacant and it shall be the duty of the Governor upon the notification of the recorder of deeds to appoint and commission some suitable person to fill such vacancy until the first Monday of January next succeeding the first municipal election which shall occur two or more months after the happening of such vacancy Such appointee shall be confirmed by the Senate if in session No fees shall hereafter be charged on commissions issued to the coroner

(c) Provisions Relating to Sheriffs and Coroners

Section 1260 Not to Exercise Office Until Commission Granted and Recorded Penalty No person elected or appointed to the office of sheriff or coroner shall execute any of the duties of such office before a commission shall have been duly granted to him by the Governor and recorder in the recorder of deeds office under a penalty of imprisonment for a term not exceeding six months at the discretion of the court of quarter sessions Such person shall nevertheless be liable to any person injured by any acts done by him under color of such office

Section 1261 Recognizances of Sheriffs and Coroners (a) Every sheriff whether elected reelected or appointed to fill a vacancy not including any coroner temporarily acting as sheriff and every coroner before he is commissioned or executes any duties of his respective office shall execute and duly acknowledge before the recorder of deeds a proper recognizance without any surety to the Commonwealth of Pennsylvania for the faithful discharge of all of his official duties in like manner as that of his official bond required by law and in a form containing like conditions as such bond The recognizance shall be immediately recorder in said county at the expense of said sheriff or coroner and when so recorded shall be transmitted to the Secretary of the Commonwealth with said recorder's certificate endorsed thereon of its having been duly recorded and with a reference to the place of record thereof

(b) Every such recognizance hereafter executed shall continue to be a lien on the real estate owned by the sheriff or coroner at the date of such acknowledgment for a period of six years from that date Every recognizance heretofore executed by any sheriff or coroner shall continue to be a lien on the real estate owned by the sheriff or coroner at the time the recognizance was dated for a period of six years after that date but in every case where the period of six years has already expired the lien of such recognizance shall continue for a period of two years after the twenty-ninth day of September one thousand nine hundred fifty-one or to the end or the lien term fixed by law at the time the recognizance was executed which ever date shall first occur

(c) The Secretary of the Commonwealth shall have and keep the custody of every such recognizance and any copy thereof and of said endorsements certified to by the Secretary of the Commonwealth shall be competent evidence of the execution delivery and recording thereof in any judicial proceeding and may be relied upon by any public officer to the same extent as the original recognizance.

(d) The recorder of deeds may also certify copies of such recognizance and the time and place of record thereof for like purposes upon receipt of his fees therefor according to existing laws

(e) Such recognizance or any duly certified copy thereof may likewise be recorded and indexed like a judgment in any other county of this Commonwealth by any person or public officer upon payment of the usual fees to the recorder of deeds and prothonotary of such county respectively for the purpose of creating a lien on any real estate of the sheriff or coroner obligated thereby lying in such other county

(f) It shall be the duty of the recorder of deeds of the county for which a sheriff or coroner is elected or appointed as soon as said sheriff or coroner is commissioned to certify the date amount and place of record of his recognizance with the name and address of said sheriff or coroner to the prothonotary of said county who shall enter such information upon his dockets and index the lien of such recognizance like a judgment obtained in the court of common pleas of the county

(g) Every sheriff's or coroner's recognizance hereafter given shall inure to the benefit of any surety on his official bond entitled to subrogation to the rights of any person or corporation including any county intended to be benefited thereby injured by any official misconduct or neglect of the sheriff or coroner who executed such recognizance to the extent of any payments by such surety for any damages for which such sheriff or coroner may be held to be liable in any suit or proceedings against such sheriff or coroner on his official bond or recognizance A similar right of subrogation may be enforced with respect to any such recognizance heretofore given to the extent permitted by law or equity

Section 1262 Sale of Real Estate Bound by Lien (a) If the sheriff or coroner shall sell any real estate bound by the lien of any recognizance such sheriff or coroner may present a petition to the court of common pleas of the county where in the land so bound is situate accompanied by notice to his sureties on his official bond and to his board of county commissioners setting forth the fact of such sale and praying for a release of the lien of such recognizance upon the real estate described in the petition

(b) The court being satisfied of the sufficiency of the sureties upon his official bond and that no action has been commenced by any person or corporation on said recognizance or that all suits thereon have been ended by payment obtained therein or otherwise may release the lien upon such land

(c) The court of common pleas of such officer's county may before the release of the lien upon any such real estate approve of additional sureties to be added or substituted upon his official bond as such court shall deem necessary

Section 1263 Limitation of Action Satisfaction of Recognizance No action or scire facias shall be brought upon the recognizance of the sheriff or of the coroner after seven years from the date of such recognizance The court of common pleas may after such time upon application of the sheriff or coroner as the case may be order and direct that the recognizance be marked satisfied on the record and upon the dockets of the prothonotary and the lands involved shall thereupon be discharged from the liens thereof

Article XIII

Prothonotary Clerk of Court Clerk of Orphans' Court

Register of Wills Recorder of Deeds

Section 1301 Election of Prothonotary Clerk of Court Clerk of Orphans' Court Register of Wills Recorder of Deeds At the municipal election preceding the expiration of the term of office of any prothonotary clerk of the court of quarter sessions clerk of the court of oyer and terminer register of wills clerks of the orphans' court or recorder of deeds of the county and quadrennially thereafter the electors of the county shall elect a person to fill such office from the first Monday of January next succeeding such election for a term of four years and until his successor is elected and qualified Where under the provisions of this act or other law it is provided that two or more of said offices shall be held by the same person only one person shall be elected to hold such office

Section 1302 How Offices to Be Held In the county one person shall hold the office of prothonotary one person the office of clerk of the court of oyer and terminer and quarter sessions one person the offices of register of wills and clerk of the orphans' court and one person the office of recorder of deeds

Section 1303 Incompatible Offices No person shall hold at the same time the office of justice of the peace and that of prothonotary or clerk of any court Nor shall any pro-

thonotary or clerk of any court practice as attorney or counsellor in the court of which he is prothonotary or clerk Nor shall the register of wills of any county practice as aforesaid in the orphans' court of the same county

Section 1304 Appointment of First Deputies The prothonotary clerk of the courts of quarter sessions and oyer and terminer and clerk of the orphans' court and recorder of deeds shall appoint one first deputy to act in the case of the death or resignation of his principal or when the office shall become vacant from other causes The register of wills shall appoint a deputy or deputies as provided by law

Section 1305 Power of Prothonotary Clerks Deputies and Assistants to Administer Oaths and Affirmations The prothonotary clerks of the courts of quarter sessions and oyer and terminer and clerks of the orphans' courts and the deputies of such offices shall have a general power to administer oaths and affirmations Provided That no prothonotary or clerk shall be compelled to administer the same in any matter not pertaining to the proper business of his office Any clerk in the office of the prothonotary designated by the prothonotary shall have the power of deputy prothonotary so far as relates to the administration of oaths and affirmations in the performance of the work of the office.

Section 1306 Appointment of Minute Clerks by the Courts of Common Pleas and Courts of Quarter Sessions and Oyer and Terminer The court of common pleas and the court of quarter sessions and oyer and terminer shall respectively appoint minute clerks of said courts and shall give bond in such sum as the respective courts may direct This title shall not affect the power of the prothonotary of Allegheny County to appoint clerks of the county court for the County of Allegheny under the provisions of section five of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or its amendments

Section 1307 Second Deputy Prothonotary The prothonotary may appoint a second deputy prothonotary who shall possess and discharge all the rights powers and duties of the principal deputy prothonotary during his necessary or temporary absence

Section 1308 Prothonotary to File and Keep Advance Copies of Law The prothonotary shall file and keep in his office advance copies of the laws enacted at each session of the General Assembly as they are furnished to him by the Secretary of the Commonwealth for a period of one year from the date of reception of the first of said laws enacted at each session of the General Assembly in such manner that they shall be accessible to the public during the office hours of the prothonotary

Section 1309 Assistant Clerks of Orphans' Court The clerk of the orphans' court may appoint an assistant clerk or clerks but only with the consent and approval of said court

Section 1310 Minute Clerks of Orphans' Court The judges of orphans' court shall appoint a chief minute clerk and a sufficient number of assistant minute clerks to perform such duties in connection with the business of said court as the salary board may direct The salaries of such clerks shall be paid by the county in the same manner as employes of the office of the register of wills and clerk of the orphans' court The office of chief assistant clerk and the offices of assistant clerks of the orphans' court shall not be incompatible with the offices of chief minute clerk and assistant minute clerks of said court

Section 1311 Second Deputy Recorder The recorder of deeds may appoint a second deputy recorder of deeds who shall possess and discharge all the rights powers and duties of the principal deputy recorder of deeds during his necessary or temporary absence

Section 1312 Clerks of Recorder to Administer Oaths The recorder of deeds may appoint one or more clerks employed in his office to administer oaths and affirmations to all persons pertaining to the business of the recorder's office with the same force and effect as if administered by the recorder or deputy recorder

Article XIV

District Attorney Assistants and Detectives

(a) District Attorney

Section 1401 District Attorney Qualifications Eligibility (a) The district attorney shall be a resident of the county learned in the law and admitted to practice in the county of this Commonwealth

(b) The district attorney shall have been admitted to practice as an attorney before the Supreme or Superior Courts of this Commonwealth for at least two years prior to the time for taking the oath of office

(c) No district attorney shall be eligible to a seat in the Legislature or to any other office under the laws and Constitution of the Commonwealth excepting an office or commission in the militia of the Commonwealth during his continuance of office

Section 1402 Duties of District Attorney Entry of Nolle Prosequi (a) The district attorney shall sign all bills of indictment and conduct in court all criminal and other prosecutions in the name of the Commonwealth or when the Commonwealth is a party which arise in the county and perform all the duties which now by law are to be performed by deputy attorneys general and receive the same fees or emoluments of office

(b) The district attorney shall not enter a nolle prosequi in any criminal case either before or after bill found or discharge a prisoner from custody without first having obtained the approval of the court in writing

Section 1403 Expenses Incurred by District Attorney All necessary expenses incurred by the district attorney or his assistants or any officer directed by him in the investigation of crime and the apprehension and prosecution of persons charged with or suspected of the commission of crime shall be paid by the county from the general funds of the county upon the approval of the bill of expenses by the district attorney and the court In any case where a defendant is convicted and sentenced to pay the costs of prosecution and trial the expenses of the district attorney in connection with such prosecution shall be considered a part of the costs of the case and be paid by the defendant

Section 1404 Filling of Vacancies If any vacancy shall occur in the office of district attorney either by death resignation removal from office or from the county or otherwise the judges of the court of common pleas shall supply such vacancy by the appointment of a competent person to fill the office during the balance of the unexpired term

Section 1405 Misconduct of District Attorney (a) If the district atorney shall wilfully and corruptly demand take or receive any other fee or reward than such as is prescribed by law for any official duties required by law to be executed by him in any criminal proceeding or if such district attorney shall be guilty of wilful and gross negligence in the execution of the duties of his office he shall be guilty of a misdemeanor in office and on conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000) and to undergo imprisonment not exceeding one year and his office shall be declared vacant

(b) Upon complaint in writing verified by the oath or affirmation of the party aggrieved made to the court in which any district attorney shall prosecute the pleas of the Commonwealth charging such district attorney with wilful and gross negligence in the execution of the duties of his office the court shall cause notice of such complaint to be given to the district attorney and of the time fixed by the court for the hearing of the same If upon such hearing the court shall be of opinion that there is probable cause for the complaint they shall hand over or commit the district attorney to answer the same in due course of law If the court shall be of opinion that there is no probable cause for such complaint they shall dismiss the same with reasonable costs to be assessed by the court

Section 1406 District Attorney Charged with Crime If the district attorney is charged according to law with any crime or misdemeanor before or bound over or committed by any court to answer for wilful and gross negligence in the execution of the duties of his office it shall be the duty of the court to appoint some competent attorney thereof to prepare an indictment against such district attorney and to prosecute the same on behalf of the Commonwealth until final judgment Such attorney shall be paid by the county for his services a reasonable compensation to be fixed by the court If such district attorney shall be convicted of any crime for which he may be sentenced to imprisonment by separate or solitary confinement at labor his office shall be declared vacant by the court

Section 1407 Law Books for District Attorney The county commissioners may purchase for the use of the office of the district attorney out of the funds of the county such law books as may be selected by the district attorney

Section 1408 When Private Counsel May Prosecute If the district attorney shall neglect or refuse to prosecute in due form of law any criminal charge regularly returned to him or to the court or if at any stage of the proceedings the district attorney of the county and the private counsel employed by the prosecutor shall differ as to the manner of conducting the trial the prosecutor may present his petition to the court setting forth the character of the complaint and verify the same by affidavit If the court shall be of the opinion that it is a proper case for a criminal proceeding or prosecution it may direct any private counsel employed by such prosecutor to conduct the entire proceeding and where an indictment is necessary to verify the same by his own signature as fully as the same could be done by the district attorney

(b) Assistant Special Deputy and Acting District Attorneys Stenographers and Clerks

Section 1420 Assistant District Atorneys Number Compensation The district attorney may appoint such number of assistants learned in the law to assist him in the discharge of his duties the number and salary of such assistants to be fixed by the salary board

Section 1421 Designation of First Assistant Powers and Duties The district attorney shall designate one of such assistants as his first assistant Such first assistant shall in the absence of the district attorney from the jurisdiction or during his disability to perform the duties of his office through sickness or other cause be vested with all the duties powers and privileges given by law to the district attorney and generally at such time be empowered to do and perform all things in connection with his office which the district attorney may by law be entitled to do or perform In case of any such incapacity of the district attorney or his first assistant or both any or all of such duties powers and privileges may be done by such other assistant district attorneys if any as may be designated by the district attorney

Section 1422 Stenographers and Clerks (a) The salary board may provide for the appointment by the district attorney of such clerks and stenographers in his office as may be deemed necessary for the proper dispatch of business

(c) County Detectives

Section 1440 Appointment Duties and Compensation of County Detectives (a) The district attorney may appoint one chief county detective an assistant chief county detective and as many county detectives sergeant special county detectives and junior county detectives as the salary board shall fix

(b) County detectives shall at all times be subject to the orders of the district attorney and shall investigate and make report to the district attorney as to the conduct in office of magistrates constables deputy constables and other officers connected with the administration of criminal justice to make investigations and endeavor to obtain such evidence as may be required by the district attorney in any criminal case and perform such other duties as the district attorney may direct Said detectives shall be general police officers and shall have all powers now conferred on constables by existing laws of this Commonwealth so far as they relate to crime or criminal procedure and they shall serve subpoenas in cases in which the Commonwealth is a party in a court of record

(c) Said chief county detective assistant chief county detective county detectives sergeant special county detectives and junior county detectives shall not be entitled to receive any fees whatsoever but shall each receive such salary as shall be fixed by the salary board together with all necessary traveling expenses which said salary and expenses having been verified by affidavit of the chief county detective assistant chief county detective county detective sergeant special county detective or junior county detective incurring the same and approved by the district attorney shall be paid out of the treasury of the county on a certificate issued by the district attorney directed to the controller of the county who shall order warrants for said amounts according to law

Section 1441 Appointment of Special Detective with Approval of Court The district attorney of the county may with the approval of the salary board whenever the court of quarter sessions and district attorney may deem it necessary for a particular and temporary assignment appoint a special detective whose duty it shall be to assist in obtaining such evidence as shall be directed by the district attorney for the Commonwealth and perform such other duties as the court may direct He shall be allowed expenses necessarily and actually incurred in the performance of his duties

Such special detective officer shall be a general police officer and shall have all the powers that are conferred on constables by the existing laws of this Commonwealth so far as they relate to crimes or criminal procedure

Article XV

Police and Employes of Jails and Workhouses

(a) Police

Section 1501 Employment of Police (a) The county commissioners shall have power to employ such number of police as may be fixed by the salary board of the county The compensation of such police officers shall be paid by the county

(b) Such police officers shall have jurisdiction anywhere within the county by which employed and shall have and possess all the following powers

(1) To make arrests without warrant for all violations of the law which they may witness and to serve and execute warrants issued by the proper authorities In cases of offenses for violation of any of the provisions of the Vehicle Code the power to make arrests without warrant shall be limited to cases where the offense is designated a felony or a misdemeanor and cases causing or contributing to an accident resulting in injury or death to any person

(2) The powers and prerogatives conferred by law upon members of the police force of cities of the first class

(3) The powers and prerogatives conferred by law upon contables of the Commonwealth

(4) To serve subpoenas issued for any examination investigation or trial had pursuant to any law of the Commonwealth

Section 1502 Exclusive System No member of the police force shall be appointed promoted reduced in rank suspended furloughed discharged or reinstated except in accordance with provisions of this article

Section 1503 Civil Service Commission Created Appointments Vacancies (a) There is hereby created a civil service commission hereinafter referred to as the commission Each commission shall consist of three commissioners who shall be appointed by the county commissioners and who shall be qualified electors of the county for which appointed They shall be appointed initially to serve the term of two four and six years and as terms thereafter expire shall be appointed for terms of six years Not more than two members of the commission shall be of the majority and at least one shall at all times be of the minority political parties

(b) Any vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term within a period of thirty days after such vacancy occurs

(c) Each member of the commission before entering upon the discharge of the duties of his office shall appear before the court of common pleas and take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity

(d) No commissioner shall at the same time hold an elective or appointive office under the United States Government the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth

Section 1504 Organization of Commission Quorum The commission shall organize within ten days after its appointment and shall elect one of its members as the chairman and one as the secretary of the commission The commission shall thereafter meet and organize on the second Monday of each even-numbered year Each commissioner shall be notified in writing of each meeting of the commission Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members

Section 1505 Clerks and Supplies The county commissioners shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission The board of county commissioners shall provide a suitable and convenient room or rooms for the use of the commission The commission shall order from the county commissioners the necessary stationery postage printing and supplies and the county commissioners shall aid the commission in all proper ways in carrying out the provisions of this article

Section 1506 Rules and Regulations Each commission shall have power to prescribe amend and enforce rules and regulations for carrying into effect the provisions of this article and shall be governed thereby Before any such rules and regulations are in force the same shall first be approved by the board of county commissioners of the county When such rules and regulations have been so approved they shall not be annulled amended or added to without the approval of the board of county commissioners All such rules and regulations and modifications thereof shall be printed for public distribution

Section 1507 Minutes Records Annual Report Each commission shall keep minutes of its proceedings and records of examinations and other official actions All recommendations of applicants for appointment received by the commission shall be kept and preserved for a period of five years All such records and all written causes of removal filed with the commission shall be subject to reasonable regulations and open to public inspection The commission shall make an annual report to the board of county commissioners containing a brief summary of its work during the year which shall be available for public inspection five days after the filing thereof

Section 1508 Investigations Subpoenas (a) The commission shall have power to make investigations concerning all matters touching the administration and enforcement of the provisions of this article and rules and regulations adopted thereunder

(b) Each member of the commission is hereby given power to administer oaths as oaths are administered by other public officers invested by law with the power of administering oaths with the same force and effect and carrying the same penalties

(c) The commission shall have power to issue subpoenas over the signature of the chairman or secretary to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry authorized by this article

(d) The fees of such witnesses and for travel shall be the same as for witnesses appearing in the courts of common pleas and shall be paid from appropriations for incidental expenses of the commission as provided by the board of county commissioners

(e) All officers and employes in public service shall attend and testify when required to do so by the commission

(f) If any person shall refuse or neglect to obey any subpoena issued by the commission he shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed one hundred dollars ($100) or imprisonment in the county jail not to exceed thirty days

(g) If any person shall refuse or neglect to obey any subpoena issued by the commission it may by petition apply to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the commission or the court there to testify and to produce any records and papers and in default thereof shall be held in contempt of court and punished therefor

Section 1509 General Provisions Relating to Examinations (a) Each commission shall make rules and regulations to be approved as herein prescribed providing for the examination of applicants for positions in the police force and promotions therein The rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades

(b) All examinations for positions or promotions in the police force shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations but in no case shall an applicant for promotion be considered until such applicant shall have first served three years in the police force in which he seeks promotion Each applicant for examination shall be subject to the rules adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission

(c) Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper or papers of general circulation in the county at least two weeks prior to each examination A copy of the notice shall be prominently posted in the office of the commission or other public place

(d) The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination for positions under this article

(e) In cases of applicants for position to the police force soldiers as defined by the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" shall be entitled to all the preferences and benefits therein provided so far as applicable

Section 1510 Application for Examination for Appointment to the Police Force Each person desiring appointment to the police force shall apply to the commission for examination and shall file with the commission a formal application as provided by it and shall state under oath or affirmation (1) his full name and residence or post office address (2) his citizenship place and date of birth (3) his condition of health and physical capacity for public service (4) his business or employment and his residence for the past five years and (5) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined

No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of application and has been a resident of the county for at least two years immediately preceding his application unless no resident applicants are available

Section 1511 Rejection of Applicant Hearing (a) The commission may refuse to examine any applicant or after examination may refuse to certify as eligible anyone who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use

of intoxicating liquors or drugs or who has been guilty of any crime involving moral turpitude or infamous or notorious disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group whose policies or activities are subversive to the form of government set forth in the Constitutions and laws of the United States and of Pennsylvania

(b) If any applicant or person feels himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible they shall at the request of such person within ten days appoint a time and place where he may appear personally and with counsel whereupon the commission shall then review its refusal to make such examination or certification and take such testimony as may be offered and then again render its decision

Section 1512 Manner of Making Appointments Every position of employment except that of superintendent of police or equivalent official unless filled by promotion or reinstatement shall be filled only in the following manner The County commissioners shall notify the commission of any vacancy in the police force which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon who have received the highest average in the last preceding examination held within a period of one year next preceding the date of the request for such eligibles The county commissioners shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in the preceding section As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

Section 1513 Superintendent of Police Etc In the case of a vacancy in the office of superintendent of police or equivalent official the county commissioners may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a noncompetitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this article

Section 1514 Probationary Period All appointments to any position in the county police force shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for cause as specified in section 1511 of this act If at the close of the probationary period the conduct or fitness of the probationer has not been satisfactory to the board of county commissioners the probationer shall be notified in writing that he will not receive a permanent appointment Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment.

Section 1515 Provisional Appointments Whenever there are urgent reasons for the filling of a vacancy in any position in the police force and there are no names on the eligible list for such appointment the board of county commissioners may nominate a person to the commission for a noncompetitive examination and if such nominee shall be certified by the commission as qualified after such noncompetitive examination he may be appointed provisionally to fill such vacancy until an examination for such position can be held It shall thereupon become the duty of the commission within three weeks from the date of provisional appointment to hold a competitive examination for such position and certify a list of eligibles to the board of county commissioners and they shall then make a regular appointment as prescribed in this article Nothing herein contained shall prevent the appointment without examination of persons temporarily as police officers in emergency cases for the suppression of riots tumults in times of war pestilence conflagration or public celebration

Section 1516 Promotions Promotions shall be based on merit to be ascertained by written examinations to be prescribed by the board of county commissioners and held under the supervision of the commission All examinations for promotions shall be practical in character and such as will fairly test the merit and fitness of the persons seeking promotion No member of the county police force shall be eligible to take any promotional examination until after serving three years in the county police force for which such examination is held The board of commissioners shall have power to determine in each instance whether an increase in salary shall constitute a promotion

Section 1517 Physical Examinations All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the board of county commissioners No person shall be eligible to take an examination until said doctor certifies to the commission that the applicant is free from any bodily or mental defects deformity or disease that might incapacitate him from the discharge of the duties of the position desired in the police force

Section 1518 Reducing in Rank Suspension Furloughing Discharging (a) No person employed in a county police force shall be reduced in rank (except superintendent of police) suspended furloughed or discharged except for the following reasons (1) neglect or violation of any official duty (2) violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or a felony (3) inefficiency except as hereinafter provided wilful disobedience of orders or conduct unbecoming a police officer (4) drinking of intoxicating liquor while on duty or the use of which renders him unfit for duty when called upon

(b) In every case of reduction of rank (except that of superintendent of police) suspension furlough or discharge a copy or statement of the reasons therefor and written answers thereto shall be furnished to the person sought to be reduced in rank suspended furloughed or discharged if he shall make demand therefor He shall have the right to appeal to the commission for a hearing on the reasons or charges preferred against him

(c) Upon the written request for a hearing the commission shall arrange for the hearing within ten days from receipt of such request At such hearing the person against whom the charge or reason is made may be present in person and by counsel and the burden shall be upon the party making such charges or reasons to justify his action

(d) In the event the commission fails to uphold the action of the party who made the charges or reasons then the person against whom the charges were preferred shall be paid in full his salary for the time he may have been prevented from performing his usual employment as a police officer and no record of the case shall be placed against his service record in the police force

(e) If in the case of demotion of any employe (except that of superintendent of police) the charges or reasons are sustained then such person shall not be reverted below his seniority standing on the roster of the grades of patrolman in the police force

(f) A written record of all testimony shall be taken at each hearing held by the commission and such records shall be sealed and not available to public inspection in the event no appeals are taken from the action of the commission

(g) In the event the commission shall sustain the party who preferred the charges or reasons then the party against whom the charges or reasons were made shall have immediate right of appeal to the court of common pleas of the county Such appeal shall be taken within the period of ninety days from the date of entry by the commission of its final order and shall be by petition Upon such appeal being taken and docketed the court of common pleas shall fix a day for the hearing and proceed to hear the appeal de novo on the original record and

the employe shall be reduced suspended furloughed or discharged in accordance with the order of the court

(h) In cases where a member of a county police force whose duties are those of an outside policeman is found to be physically unfit to perform such duties due to an infirmity resulting from the performance of his duties as a policeman or whenever any such member has served for a period of twenty years and is at least fifty years of age such member upon application to the board of county commissioners if there is any vacancy existing in the number of building policemen building guards or other positions the responsibility of which is building protection or security as set forth in the budget of the county shall be assigned to inside work as building policeman or other special duties without any diminution in pay. Where more applicants are made and filed than there are vacancies existing such assignments shall be made first to applicants found to be physicaly unfit and secondly to applicants in order of their seniority in service Where two or more applicants have equal seniority in service assignments shall be determined by the alphabetical order of the first letter of the surname of the applicants As vacancies occur assignments shall be made according to a seniority list determined as aforesaid

Section 1519 Reduction in Number of Policemen Reinstatement If for reasons of economy or other reasons it shall be deemed necessary by the board of county commissioners to reduce the number of policemen in the police force then such reduction in numbers shall be made in the following manner (1) if there are any policemen eligible for retirement under the terms of any retirement or pension system or law then such reduction in numbers shall be made by retirement if the party to be retired has served in the police force for a period of at least twenty-five years and reached the age of fifty-five years or over (2) if the number of policemen eligible for retirement is insufficient to effect the reduction in numbers decided upon by the board of county commissioners or if no retirement or pension system or law exists or if there are no policemen eligible for retirement or pension then the reduction shall be made by furloughing the last policeman including the probationers that have been appointed to the police force and continue in numerical order until the reduction decided upon by the board of county commissioners has been effected In any case where there has been more than one employe appointed at the same time then such furloughing shall be determined by the alphabetical order of the first letter of their surname In the event the said police force shall again be increased in numbers then the employes furloughed shall be reinstated in the inverse order of that in which they were furloughed before any new appointments shall be made to the police force

Section 1520 Present Employes Exempted (a) All members (except superintendent of police) of the county police force upon the fourth day of May one thousand nine hundred forty-three shall continue to hold their positions and shall not be required to take any examination under the provisions of this article except such as may be required for promotion Any member of a county police force who was dismissed from such force between the first day of January one thousand nine hundred forty-three and the fourth day of May one thousand nine hundred forty-three for any reason except those as specified in section 1511 of this act shall be reinstated to his former position in the police force without any examination whatsoever

(b) Each member of the county police force now or hereafter serving in the armed forces of the United States during any war or any police action in which the United States is engaged shall upon his honorable discharge from such service and return to such police force be reinstated in the force in a position of equal grade to that which he held immediately before entering the armed forces of the United States He shall continue to hold such position and shall not be required to take any examination under the provisions of this article except such as may be required for promotion

Section 1521 Discrimination on Account of Religious or Political Affiliations No question in any form of application for any examination or in any examination shall be so framed as to elicit information concerning the religious or political opinions of any applicant nor shall inquiry be made concerning such opinions or affiliations and all such disclosures thereof shall be discountenanced No discrimination shall be exercised threatened or promised by any person in or interested in the police force against or in favor of an applicant on the eligible list for appointment to or promotion in the police force because of his religious or political opinions or affiliations

Section 1522 Penalties Any county commissioner or anyone acting for the board of county commissioners who shall cause any person to be appointed to or promoted in the police force contrary to the provisions of this article or who violates any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than five hundred dollars ($500) or suffer imprisonment not exceeding one year or both

Section 1523 Compensation of the Commission and its Employes The compensation to be received by members of the commission or any of the employes they may require for putting into effect the provisions of this article shall be fixed by the salary board

Section 1524 Hours of Service Exceptions Vacations Every member of the police force shall have at least twenty-four consecutive hours of rest in each calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration No member shall be required to work more than eight consecutive hours in any twenty-four hours except in the aforesaid cases of emergency Every member shall be allowed one day's vacation for each month of service for the first twelve months of service and thereafter an annual vacation of not less than fourteen days He shall also be allowed an annual sick leave of not less than fourteen days All such vacation and sick leave shall be without any deduction or diminution of salary or compensation as fixed by the salary board

Section 1525 Compensation and Expenses to Policemen Injured or Ill Every member of the police force who may be injured or become sick through the performance of his duties and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the county his full rate of salary as fixed by the salary board until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury or sickness shall be paid by the county All benefits under the Workmen's Compensation Law which shall be received or collected by any such member during the period he has received salary for temporary disability shall be paid over to the county and paid into the treasury thereof of any such payment or payments shall not be so made by the member of the police force the amount so directed to be paid to the county shall be deducted from any salary which shall then or thereafter become due and owing to such member

(b) Employes of Jails and Workhouses

Section 1531 Employes of Jails and Workhouses Disabled by Violence Salaries and Expenses to Be Paid Every guard matron nurse or other employe who comes in contact with inmates of any jail or workhouse who is incapacitated as a result of violence by an inmate while in the performance of his duties shall be paid by the county by which they are employed their full rate of salary as fixed by the salary board until the disability arising therefrom has ceased but the period of such salary payments by the county shall not exceed the period during which such employe is entitled to compensation for the injury received under the provisions of the Workmen's Compensation Act All medical and hospital bills incurred in connection with any such injuries shall be paid by such county All benefits under the Workmen's Compensation Law which shall be received or collected by any such

employe during the period he has received salary for temporary disability shall be paid over to the county and into the treasury thereof If any such payment or payments shall not be so made by such employe the amount so directed to be paid the county shall be deducted from any salary which shall then or thereafter become due and owing to such employe

Section 1532 Prison Inspectors to Appoint Jail Chaplains The board of prison inspectors shall appoint jail chaplains necessary to care for the spiritual welfare of prisoners under their charge

The number and compensation of such chaplains shall be fixed by the salary board Said compensation to be paid from the county treasury

Article XVI

Commission for the Selection of Jurors

Section 1601 Commission for the Selection of jurors The commission for the selection of jurors shall be governed as provided by law

Article XVII

Employes' Retirement System

Section 1701 Definitions The following words and phrases as used in this article shall be construed to have the following meaning

"Board" county employes' retirement board

"Compensation" salary or wages received per day weekly semi-monthly monthly annually or during an official term year

"Contributions" amount paid into the retirement fund

"County employe" any person employed by the county including all elected or appointed county officers clerical personnel in the offices of the county superintendent of schools and agricultural extension association county institution district county prison county workhouse and inebriate asylum any county correctional institution law library and county retirement board employes whose compensation is paid out of county funds county institution district funds or county retirement system funds In all cases of doubt the board shall determine who is an empoye within the meaning of this article

"Monthly" calendar month

"Per Annum" twelve calendar months

"Retirement allowance" the amount to which a county employe is entitled to receive upon retirement from active service not including the amount he or she is entitled to receive as a service increment

"Retirement fund or system" fund or system created by this article

"Service increment" the amount a county employe is entitled to receive in addition to his or her retirement allowance by reason of his or her extra years of service

"Service year" twelve calendar months

"Year" twelve calendar months including an official term year beginning the first Monday of January of a given year to the first Monday of January of the year following

Section 1702 Retirement System and Fund to be Established The county shall provide a county employes' retirement system for county employes and shall establish and regulate a retirement fund in connection therewith

Section 1703 Retirement Board The retirement system shall be under the sole direction of a board which shall consist of the county commissioners the treasurer the controller and two persons elected by ballot from among the members of the retirement system one to serve for two years and one for four years Following the completion of the initial terms the stated terms of such members shall be four years Ballots shall be mailed to each member of the retirement system at least twenty (20) days prior to the date of the election A vacancy occurring during the term of any member of the board shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his predecessor A majority of the members of the board shall constitute a quorum for the transaction of any business

Section 1704 Treasurer and Secretary of Board Power of Board to Employ Persons The county treasurer shall be the treasurer of the board and shall give such bond for the proper performance of his duties as is required by the board The premium on said bond shall be paid from the retirement fund on warrants of the board The controller and the treasurer each shall receive for their services the sum of five hundred dollars ($500) per annum from the retirement fund payable on warrants of the board The controller shall be the secretary of the board

The board shall have power and authority to pay all necessary expenses in the administration of the retirement system employ one solicitor necessary assistants who shall receive such compensation as the board shall fix which shall be paid from the retirement fund on warrants of the board

Section 1705 Register of Employes Rules and Regulations of Board The board shall keep a register of all county employes containing the names ages residence nature of employment time of entering employ and such other information as the board deems necessary in the performance of its duties The board may adopt amend revise and abolish such rules and regulations as it deems necessary not inconsistent with this act

Section 1706 Investment or Deposit of Fund The board shall be the trustees of the retirement fund and shall have exclusive control and management of the said fund with full power to invest the money or any part thereof subject to the terms conditions limitations and restrictions that are provided by law for investments of trust funds by fiduciaries or the retention or sale of certain investments in the hands of fiduciaries Subject to like terms conditions limitations and restrictions the board shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in the retirement fund as well as the proceeds of said investments and of the money belonging to said fund or it may deposit such moneys or any part thereof in one or more banks or banking institutions selected by the board The board shall decide upon the number of banks and banking institutions of the county as depositories of retirement funds and the rate of interest to be paid by them to the board A contract with a depository shall be for a period covering the term of the county treasurer No moneys shall be deposited in a depository until it shall furnish to the board collateral to secure payments of deposits and interest to the board by depositing in escrow securities to be approved by the board Such securities to be of the kind and in the amount to be fixed by the board

Section 1707 Heads of Departments Offices and Agencies to Certify List of Employes The head of every department office or agency shall certify to the board the names of all county employes of such department office or agency residence age nature of employment time of entering employ and the amount of compensation received by each together with dismissals resignations or terminations of service also furnish such other relevant information as the board may require

Section 1708 Compulsory Membership Employes Payment Into Fund Exceptions Each county employe shall be required to become a member of the county employes' retirement system within six months from the date of his employment The county employe may elect to become a member of the retirement system at any time during the aforesaid six months period of time by notifying the head of the department office or agency in which department office or agency he or she is employed of the said election A copy thereof shall be filed immediately with the board He or she shall each month pay into the retirement fund five per centum of the amount received by him or her as compensation during the preceding calendar month In no event shall any such employe pay an amount in excess of twenty-five dollars ($25) per month Such amount shall be collected by the county treasurer and by him paid into the retirement fund The

monthly payment shall not be paid by a beneficiary who was receiving a retirement allowance and is subsequently reemployed as a county employe nor shall any county employe make the said monthly payment who is ineligible to receive a retirement allowance in accordance with the provisions of subsection (c) of section 1716 of this article

Section 1709 Appropriation and Payment to Retirement Fund At their annual budget session the county commissioners shall make such an appropriation as will enable them to pay and there shall be paid out of county taxes and county institution district taxes a sum of money each month which shall be equal to the amount paid into the retirement fund by the county employes during the preceding month in accordance with the provisions of section 1708 of this article

Section 1710 Employes Entitled to Retirement Allowances (a) Every county employe who has reached the age of sixty years or upwards and who has to his or her credit a period of service of fifteen years but less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance of one twentith (1/20) of such amount as he or she may be entitled to receive in accordance with the provisions of subsection (a) of section 1712 of this article for each year's service which such employe may have to his or her credit during the aforesaid period of time The time spent in the employ of the county or county institution district need not necessarily have been continuous

(b) Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of twenty or more years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance plus a service increment if any in accordance with the provisions of section 1712 of this article The time spent in the employ of the county or county institution district need not necessarily have been continuous Provided That when any county employe has twenty or more years service not necessarily continuous and has reached the age of fifty years or upwards and shall be separated from the service of the county or county institution district by reason of no cause or act of his or her own upon application to the board he or she shall thereafter receive during life a retirement allowance plus a service increment if any in accordance with the provisions of section 1712 of this article

(c) A person who became a county employe through the consolidation of a city institution district with a county institution district may have the period of his or her city employment credited as a county employe for all purposes under this article Provided That said person between the twenty-second day of May one thousand nine hundred forty-five and the twenty-second day of May one thousand nine hundred forty-six shall have paid into the retirement fund the amount which he or she would have been required to pay into the said fund if such person had been a county employe from the date of his or her original employment with the city And further Provided That the city by which the said person was formerly employed shall have paid into the retirement fund an amount equal to that paid into the said fund by the said person in accordance with the provisions of this article If such county employe leaves the employe of the county institution district before he or she shall be entitled to receive the benefit of the retirement allowances a refund of his or her contributions as paid into the retirement fund shall be made in accordance with the provisions of section 1714 of this article

(d) Any county employe who on and after the sixteenth day of September one thousand nine hundred forty has been employed by the county or county institution district for a period of six or more months and who on or subsequent to such date shall have enlisted or been inducted into military service of the United States in time of war or national emergency so proclaimed by the President or the Congress of the United States or any police action in which the United States is engaged shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war national emergency or police action if such person returns or has heretofore returned to his employment within one year after his separation from military service and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county or county institution district upon application by such county employe for retirement benefits Any county employe who has been in military service and returned to the employ of the county or county institution district shall within one year after the effective date of this article file with the board a record of the time spent by him in such military service Any county employe who has been in military service prior to the effective date of this article and has made payments into the county employes' retirement fund to secure for his employment record credit for his military service shall be reimbursed to the full extent of such payments by the board

Section 1711 Exceptions in Favor of Employes Totally and Permanently Disabled (a) Any county employe except persons who are employed in accordance with the provisions of subsection (c) of this section and persons who are reemployed in accordance with the provisions of subsection (b) of section 1715 who has been in employ for a period of not less than fifteen years may receive a retirement allowance plus a service increment if any in accordance with the provisions of section 1712 of this article if he or she becomes totally and permanently disabled except as a result solely of chronic alcoholism even though such employe has not reached the age of sixty years provided that proof of such total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board

(b) Once each year the board may require any former county employe who is receiving a retirement allowance by reason of total and permanent disability to undergo a medical examination by a physician or physicians designated by the board Should such physician or physicians thereupon report and certify to the board that such former county employe is no longer totally and permanently disabled or that such former county employe is able to engage in a gainful occupation and should the board concur in such report then the amount of the retirement allowance shall be reduced or discontinued as the board may determine

(c) No person entering the employ of the county or county institution district as a county employe after the effective date of this article who has attained the age of fifty-five or more years at the time of such employment shall be eligible to receive a retirement allowance by rea- of total and permanent disability as herein provided

Section 1712 Amount of Retirement Allowances (a) The retirement allowance paid under the provisions of this article shall equal fifty per centum of the amount which would constitute the average monthly compensation as received by the county employe during the last twenty-four months in which period of time the said employe made monthly contributions to the retirement fund prior to his or her retirement No retirement allowance shall be computed on a monthly compensation in excess of five hundred dollars ($500) nor shall a retirement allowance be paid for a fraction of a service year. In addition to the retirement allowance as herein authorized a service increment shall be paid as hereinafter provided

(b) In addition to the retirement allowance which is authorized by this article and notwithstanding the limitations therein placed upon retirement allowances county employes who upon retirement shall become entitled to the payment of a retirement allowance and who have been employed as such for twenty-one or more years during which period of time he or she shall have made

monthly contributions to the retirement fund shall also be entitled to the payment in addition to a retirement allowance a service increment of five per centum per year computed upon the annual retirement allowance to which he or she is entitled Said service increment shall be the sum obtained by computing the number of years in excess of twenty years during which period of time he or she shall have made monthly contributions to the retirement fund and shall have been a county employe as defined by section 1701 of this article No service increment shall be paid for more than ten (10) such excess service years nor shall a service increment be paid for a fraction of such service year The provisions of subsections (a) and (b) of this section shall not apply to any person who is receiving a retirement allowance granted prior to the effective date of this article

(c) Any person receiving a retirement allowance plus a service increment if any and is subsequently reemployed as a county employe during th priod of such reemployment his or her retirement allowance and service increment if any shall cease until subsequent retirement The subsequent retirement allowance and service increment if any shall be the same as he or she received prior to his or her reemployment

(d) Retirement allowance and the service increment if any shall be paid in monthy installments on warrants of the board No retirement allowance plus a service increment if any granted to any person who has heretofore retired or who shall hereafter retire shall be increased decreased or revoked during the life of any such person except as the board may decide in accordance with the provisions of subsection (b) of section 1711

Section 1713 Retirement Allowances After Leaving Service (a) Any county employe who after twenty or more years service and before attaining the age of fifty years shall be separated from the service of the county or county institution district by reason of no cause or act of his or her own if such employe continues to contribute to the retirement fund monthy a sum equal to the last monthly contribution paid while in employ such former county employe shall when he or she reaches the age of fifty years be eligible to receive a retirement allowance and a service increment if any He or shall shall be eligible to receive a service increment if any only to the date of his or her separation from the service of the county or county institution district

(b) Any person who after twenty or more years service as a county employe retires voluntarily before reaching the age of sixty years shall pay into the retirement fund monthly a sum equal to the last monthly contribution paid while in the employ of the county or county institution district until he or she reaches the age of sixty years when such former county employe shall be entitled to a retirement allowance plus a service increment if any He or she shall be eligible to receive a service increment of any only to the date of his or her separation from the service of the county or county institution district

Section 1714 Refund of Contribution (a) Any person contributing monthly to the retirement fund who shall for any cause cease to be a county employe before he or she shall be eligible to receive the benefits of the retirement allowances the total amount of the contributions paid into the retirement fund by such employe shall upon demand in writing be repaid to him or her or in the event of the death of any such employe the amount of said contributions shall be paid to such person or persons as he or she shall have designated in writing as filed with the board as his or her beneficiary or to his or her estate

(b) If any former county employe receiving a retirement allowance either with or without a service increment shall die before he or she shall have received the total retirement allowance payments plus the service increment if any equal to the total amount of contributions as made by such former county employe to the retirement fund the difference between the total of the retirement allowance payments plus a service increment if any and the total of the amount of contributions paid into the retirement fund by such former county employe shall be paid to such person or persons as he or she shall have designated in writing as filed with the board as his or her beneficiary or to his or her estate

Section 1715 Reinstatement and Requirements for Credit for Previous Service (a) No county employe shall be permitted to withdraw his or her contributions as paid into the retirement fund upon transfer from one office department or agency to another Any person who has ceased to be a county employe and has withdrawn his or her contributions as paid into the retirement fund if such person has been reemployed by the county or county institution district prior to the effective date of this article and desires to be given credit for previous service as a county employe he or she shall within one year from the effective date of this article make payment in full of the amount withdrawn with interest at the legal rate the said interest to be computed from the date of withdrawal to the date of repayment Both principal and interest shall be paid into the retirement fund at one time and in one amount or upon approval of the board both principal and interest shall be consolidated into one amount and paid in twelve or less equal monthly installments plus interest payment on monthly balances Full payment thereof shall be a condition precedent to the county employe being eligible to receive the benefits of the retirement allowances Such county employe shall make monthly payments in accordance with the provisions of section 1708

(b) Any person who has heretofore or who hereafter ceases to be a county employe and withdraws his or her contributions as paid into the retirement fund if such person is reemployed by the county or county institution district and desires to be given credit for previous service as a county employe he or she shall within one year from the date of such reemployment make payment in full of the amount withdrawn with interest at the legal rate the said interest to be computed from the date of withdrawal to the date of repayment Both principal and interest shall be paid into the retirement fund at one time and in one amount or upon approval of the board both principal and interest shall be consolidated into one amount and paid in twelve or less equal monthly installments plus interest payment on monthly balances Full payment thereof shall be a condition precedent to the county employe being eligible to receive the benefits of the retirement allowances Such county employe shall make monthly payments in accordance with the provisions of section 1708 of this article No person reemployed as a county employe in accordance with this subsection shall be eligible to receive a retirement allowance by reason of total and permanent disability in accordance with the provisions of section 1711 unless he or she shall be in employ for a period of not less than twenty years which said period of employment shall include credit given for previous service as herein provided

(c) Any county employe who desires to be given credit for previous service in the employ of the county as an elected or appointed empoye or official where such service subsequent to the first day of January one thousand nine hundred twenty-eight was rendered to the county at a time when such employe or official was not a member of the county employes retirement system shall within one year from the effective date this article make application to the board and upon approval thereof shall pay into the retirement fund a sum equal to twice the payment which such employe would have made had such person been a member thereof and had the payments been made in accordance with the provision of this article In addition thereto interest at the legal rate shall be paid from the date when the said monthly payment would have been made Both principal and interest shall be paid into the retirement fund at one time and in one amount or upon approval of the board both principal and interest shall be consolidated into one amount and paid in twelve or less equal monthly installments plus interest payment on monthly balances Full payment thereof shall be a condition precedent to the county em-

ploye being eligible to receive the benefits of the retirement allowances Such county employe shall make monthly payments in accordance with the provisions of section 1708

(d) Any person employed by any county correctional institution at the date such person became eligible for membership in the county employes retirement system who desires to be given credit for previous service in the employ of such institution when such employe was not eligible for membership shall within one year from the effective date of this article make application to the board and upon approval thereof shall pay into the retirement fund a sum equal to twice the payment which such employe would have made had such person been a member thereof and had the payments been made in accordance with the provisions of this article In addition thereto interest at the legal rate shall be paid from the date when the said monthly payment would have been made Both principal and interest shall be paid into the retirement fund at one time and in one amount or upon approval of the board both principal and interest shall be consolidated into one amount and paid in twelve or less equal monthly installments plus interest payment on monthly balances Full payment thereof shall be a condition precedent to the county employe being eligible to receive the benefits of the retirement allowances Such county employe shall make monthly payments in accordance with the provisions of section 1708

Section 1716 Retirement Allowances Not Subject to Levy Attachment or Assignment Suspension of Retirement allowances Ineligibility (a) No retirement allowance plus a service increment if any shall be subject to levy sale execution attachment garnishment or any other process whatsoever and shall not be subject to assignment or transfer It shall be exempt from any State or municipal tax

(b) If any member of the retirement system is receiving a retirement allowance and he or she shall be employed by the Government of the United States the Commonwealth of Pennsylvania or any political subdivision thereof or the authorities of any federal state school county municipal water sewerage system redevelopment housing airport bridge highway parking or any public agency or other similar organization then the board shall suspend the retirement allowance plus a service increment if any to such member of the retirement system during such employment Any such member who shall be employed as hereinbefore stated shall immediately report to the board the fact of such employment

(c) No county employe who is receiving or is eligible to receive a pension or retirement allowance from the Government of the United States except such persons who are receiving or eligible to receive a pension or retirement allowance from the said Government by reason of their military service the Commonwealth of Pennsylvania or any political subdivision thereof shall be eligible to receive a retirement allowance from the county employes retirement system Said county employe shall immediately report such fact to the board

Article XVIII

Fees of Salaried County Officers Salary Board

(a) Fees of County Officers

Section 1801 Fees of Salaried County Officers to Belong to County All fees limited and appointed by law to be received by any county officer either elected or appointed or which they shall legally be authorized required or entitled to charge or receive shall belong to the county Each of the said officers shall exact collect and receive all such fees to and for the use of the county except such taxes and fees as are levied by the Commonwealth which shall be to and for the use of the Commonwealth None of said officers shall receive for his own use or for any use or purpose whatever except for the use of the proper county or for the Commonwealth as the case may be any fees for any official service whatsoever

Section 1802 Books of Account to be Kept Fees to be Paid to County Treasurer Monthly (a) Each of said officers shall keep a special account book the form of which shall be prescribed by the controller in which entry shall be made of all the moneys received for fees and of all moneys earned and chargeable upon the county specifying the day and date the title of the case if any for what service and from whom received

(b) On the first Monday of each month each of said officers shall pay to the treasurer of the county all fees so received during the preceding month Duplicate receipts therefor shall be taken one of which he shall deposit with the county controller together with a transcript in detail of his fee account book or books for the preceding month He shall make oath or affirmation before the county controller that the transcript contains a true and correct list of all the fees received earned or chargeable upon the county for services rendered in his office either by himself deputies or clerks during the preceding month that said fees were severally charged and collected at regular rates and that he has not received and is not to receive from any person or persons whatsoever for any official services or duty any other fees than those so entered on said transcript

(c) It shall be the duty of the county controller to receive such returns and thereafter to audit and verify the same and to do such other matters and things as may be required in the premises to file said receipt and transcript in the office and to charge the county treasurer with the money for fees so paid in

(d) Where fees are paid to one office which are for services rendered or to be rendered by another the officer receiving the same shall specify the same on his account book and on his transcript as of the office to which they properly belong

Section 1803 Penalty for Receiving Gratuities or Percentages If any of the officers included in this subdivision shall receive or stipulate to receive from any deputy or clerk or from any person or persons awarded any contract for advertising or any other contract any sum or sums of money as percentages on the salaries of said deputy or clerk or on the amounts or profits of said contract or any sum or sums of money whatsoever as compensation for making any of the said appointments or contracts or shall neglect to render the accounts or to pay over the money received for fees as required by this subdivision or shall wilfully neglect to make any proper entry in the book or books required to be kept or shall wilfully neglect to charge for any official services the fees allowed by law or shall take to his own use any such fees or fail to comply with any of the provisions of this subdivision or neglect to discharge any of the duties herein imposed the same shall be deemed a misdemeanor in office and in addition to the other penalties for such offenses he shall upon conviction thereof refund the said sum or sums of money thus unlawfully received and shall be deemed incapable of holding longer the said office

Section 1804 False Swearing to County Accounts Bills or Transcripts Any officer included in this subdivision or any other person who shall wilfully swear or affirm falsely as to the accuracy of any account transcript or bill required in this subdivision or in making any affidavit in reference thereto shall be deemed guilty of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for perjury and any person who shall procure any other person to swear or affirm falsely in verifying any such account transcript or bill or in making any affidavit in reference thereto shall be deemed guilty of subordination of perjury and upon conviction thereof shall be liable to the punishment prescribed by law for that offense

Section 1805 Officers Subject to This Subdivision to be Paid Salaries All county officers to which this subdivision applies whether elected by the people or appointed according to law and their several deputies and clerks shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county

to which each shall respectively belong to the extent except as hereinafter provided of the fees collected and paid in by each officer respectively or earned where fees are chargeable upon the county treasury and said salaries shall be paid semi-monthly or bi-weekly during the month in which the services were rendered at the discretion of the county commissioners No warrant shall be drawn for the payment of any of said officer his deputies or clerks who shall not have filed the receipt and transcript for that month provided for in this subdivision

Section 1806 Salaries Payable from Fees All salaries fixed by law except as may be otherwise provided for herein shall be paid from the amounts paid into the county treasury from the respective offices after ascertaining and deducting the amount due the deputies and clerks in each office If there has not been a sum sufficient from fees received and paid in or earned and due by the county for services rendered to pay the full amount of the salary of any officer holding any of said offices after deducting the amount due the deputies and clerks such officer shall receive only such proportion of his salary as shall be equal to the aggregate of the net fees received and earned by him as aforesaid during his term of office during such month If the fees in any subsequent month or months shall exceed the amount of the expense and salary aforesaid for such month the deficit of such salary for such preceding month shall be made up from such excess

Section 1807 Monthly Returns to be Made of Taxes and Fees Due the Commonwealth (a) At the same time that monthly returns are made as required by section 1802 of this act of the fees received by said officers to and for the use of the proper county for the preceding month each of said officers shall make a separate return to the Department of Revenue of all taxes or fees collected or earned for the Commonwealth by him if any The amounts so returned by any of said officers as received by him for the Commonwealth shall be separately paid by him into the State Treasury through the Department of Revenue quarterly on the first Mondays of April July October and January for which he shall take duplicate receipts

(b)All commissions on the collection of any such taxes and fees for the Commonwealth shall be deemed and taken as part of the regular fees of the officer collecting the same and shall be accounted for accordingly

Section 1808 Payment of Certain Officers The county solicitor county jailor county commissioners county controller county surveyor or engineer county detectives county treasurer interpreter of courts district attorney and his assistants shall severally be paid bi-weekly semi-monthly monthly or quarterly at the discretion of the county commissioners They shall be paid the full amount allowed them by law but all fees and emoluments whatsoever that may accrue to any of them by virtue of his office shall be paid by him to the county treasurer as directed by law and all other officers shall be paid the amounts assigned them only when the net receipts of their respective offices shall reach the amounts respectively fixed for them

Section 1809 Salaries in Lieu of Fees Except to the extent this section may be inconsistent with any other express provision of this act the salaries fixed and provided by law for county officers shall be in lieu of all or any moneys fees perquisites or mileage expenses and other allowances received or allowed to any such officer and all such moneys fees perquisities or mileage expenses and other allowances not governed by the aforesaid exceptions shall belong to the county and shall be paid into the county treasury except where required to be paid to the Commonwealth in the manner provided by this subdivision for fees

Section 1810 Salaries of County Officers The annual salaries of the following county officers shall be as follows

The sheriff twelve thousand five hundred dollars ($12,500)

The prothonotary twelve thousand five hundred dollars $12,500)

The recorder of deeds twelve thousand five hundred dollars ($12,500)

The register of wills and clerk of the orphans' court five thousand five hundred dollars ($5,500)

The clerk of the court twelve thousand five hundred dollars ($12,500)

The treasurer twelve thousand five hundred dollars ($12,500)

The controller twelve thousand five hundred dollars ($12,500)

The coroner twelve thousand five hundred dollars ($12,500)

The district attorney fourteen thousand dollars ($14,000)

The chairman of the county commissioners eighteen thousand five hundred dollars ($18,500) the other county commissioners fifteen thousand five hundred dollars ($15,500) each

Two elective jury commissioners six thousand dollars ($6,000) each

(b) Salary Board

Section 1820 Salaries and Compensations The salaries and compensation of county officers shall be as now or hereafter fixed by law The salaries and compensation of all appointed officers and employes who are paid from the county treasury shall be fixed by the salary board created by this act for such purposes

Section 1821 Fees All county officers shall continue to charge and collect the fees mileage and emoluments of office for their own use or for the use of the county as provided by law and where required by law such fees mileage and emoluments shall be paid to the county treasurer as and when required and if no time of so paying be fixed as to any such fees mileage or emoluments then on or before the tenth day of each month

Section 1822 Salary Boards Created There is hereby created in the county a salary board which shall consist of the three individual members of the board of county commissioners and the county controller The chairman of the board of county commissioners shall be chairman of the salary board and the county controller secretary thereof The board shall meet and organize on the first Monday of January of each year

Section 1823 Number and Compensation of Officers Deputies Assistants Clerks and Employes The board subject to limitations imposed by law shall fix the compensation of all appointed county officers and the number and compensation of all deputies assistants clerks and other persons whose compensation is paid out of the county treasury and of all court criers tipstaves and other court employes and of all officers clerks stenographers and employes appointed by the judges of any court and who are paid from the county treasury

Section 1824 Revisions of Salary Schedules At each annual meeting the board shall revise the salary schedule so far as it shall deem such action necessary From time to time between annual meetings whenever required by any judge county officer or executive head of any separate board commission or division the number or compensation of whose deputies assistants clerks and employes is sought to be fixed the board shall meet and consider and shall fix and determine the same All salaries fixed under the provisions of this act shall be paid out of the county treasury

Section 1825 Procedure and Action of Board (a) Except as herein otherwise provided whenever the board shall consider the number of salaries of the deputies or other employes of any county officer or agency such officer or the executive head of such agency shall sit as a member of the board as long as any matter affecting his office or agency is under consideration and no longer

(b) Whenever the board shall consider the number or salaries of the court criers or tipstaves or other court

employes the president judge of the court shall sit as a member of the board as long as any matter affecting the court criers tipstaves or employes of his court is under consideration and no longer

(c) Whenever the board shall consider the number or salaries of the officers or employes appointed by any judge of any court such judge shall sit as a member of the board as long as any matter affecting any of his appointees is under consideration and no longer

(d) Whenever the board shall consider the number or salaries of the employes of the prison board the president judge of the court of common pleas shall sit as a member of the board and the board so constituted shall fix the number and salaries of such employes notwithstanding any general local or special law to the contrary

(e) The decisions of a majority shall govern Each board shall keep a correct minute book of its proceedings in all cases heard and determined by it Such minute book shall be a public record

Article XIX

Fiscal Affairs

(a) Fiscal Policy and Systems

Section 1901 Functions of the Controller The controller shall have a general supervision and control of the fiscal affairs of the county and of the accounts and official acts of all officers or other persons who shall collect receive or distribute the public moneys of the county or who shall be charged with the management or custody thereof He may at any time require from any of them in writing an account of all moneys or property which may have come into their control He shall immediately on the discovery of any default or delinquency report the same to the commissioners and the court of common pleas of the county and shall take immediate measures to secure the public moneys or property and remove the delinquent party if in office and not removed by the commissioners

Section 1902 Accounts of Officers The controller shall furnish the commissioners of the county whenever required by them a detailed account of any officer or other person having in his possession or under his control funds belonging to the county and shall during regular office hours give information respecting any of said accounts to any taxpayer of the county demanding the same

He shall have power and authority to require each and every county officer to make a quarterly statement with respect to moneys in his possession or control as a county officer showing the amount of cash on hand and the amount deposited in banks banking institutions and trust companies together with the names of such institutions He shall have power to examine every such account of a county officer in any bank banking institution or trust company to verify the accuracy of the statement of such county officer It shall be the duty of every such bank banking institution or trust company its officers and agents to furnish full information to the controller in relation to the account of such county officer No bank banking institution or trust company its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any account of a county officer

Section 1903 Custody of Valuable Documents The controller shall have the custody of all title deeds to real estate owned by the county and of all contracts entered into by or on behalf of the county and of all books documents and papers relating to its financial affairs and of all bonds and other obligations issued by the county when paid Such bonds and other obligations when so paid shall be distinctly cancelled by the controller and carefully and regularly filed a register of which cancellation shall be kept by him in a book to be provided for that purpose

Section 1904 Books of Fiscal Affairs The controller shall keep a full and regular set of books in detail by double entry of all the fiscal operations of the county embracing as many accounts under appropriate titles as may be necessary to show distinctly and separately all the property of the county its receipts and expenditures and all debts and accounts due by the county officers or others and the amount raised from each source of revenue and the expenditures in detail and classified by reference to the objects thereof He shall prescribe the form and manner of keeping the books and papers used by each of the officers of the county in connection with the fiscal affairs of the county Where the controller prescribes a new system of accounting as to the fiscal affairs of the county offices it shall be subject to the approval of the county commissioners

(b) Accounts Audits and Reports by Controller

Section 1920 Controller's Settlement of Accounts Report to Common Pleas Publications Financial Report to Department of Internal Affairs The controller shall at the end of each fiscal year complete the audit settlement and adjustment of the accounts of all county officers He shall in the month of January in every year make a report verified by oath or affirmation to the court of common pleas of said county of all receipts and expenditures of the county for the preceding year in detail and classified by reference to the object thereof together with a full statement of the financial conditions of the county Such report shall thereupon be published one time in such newspapers published in the county as the controller may direct but the aggregate cost thereof shall not exceed two thousand dollars ($2000) in any one year to be paid for out of the county treasury Such report may also be published in printed pamphlets at the cost of the county the number and cost of such pamphlets to be determined by the controller and the county commissioners The controller shall also within sirty days after the close of the fiscal year make an annual report to the Department of Internal Affairs of the financial condition of the county on forms furnished by the Secretary of Internal Affairs and subject to the penalties provided in section 1921 of this act for the controller refusing or neglecting to make similar reports

Section 1921 Penalties Any controller refusing or wilfully neglecting to file the report required by section 1920 of this act shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars ($5.00) for each day's delay beyond said sixty days and costs All fines recovered shall be for the use of the Commonwealth

Section 1922 Audit of the Accounts of Parole and Probation Officers and of Appropriations to National Guard Units It shall be the duty of the controller to audit settle and adjust the accounts of every parole and probation officer appointed by the court pursuant to law who shall receive from any person or persons moneys paid under any order sentence or judgment of any court and to report the results of such audits to the court which shall have appointed such officer The controller shall prescribe the system of accounting to be used by the parole and probation officer and shall likewise audit settle and adjust the accounts of any moneys appropriated by the county to units of the National Guard

Section 1923 Accounts and Audits of Moneys Collected for Taxing Units Within the County Payments All tares penalties fines and costs collected by the county treasurer and belonging to any city borough township school district or institution district shall be entered and carried in the books of the county in the same manner as county moneys It shall be audited in like manner and when paid to the taxing district entitled thereto as provided by law such payments shall be made on warrants in the same manner as payments are made of county moneys

Section 1924 Audit of Accounts of Commonwealth Moneys It shall also be the duty of the controller to audit settle and adjust the accounts of the county treasurer with the State Treasury and of each of such other officers in the county receiving money for the use of the Commonwealth and where the county has a financial interest as

may be referred to them by the Auditor General or the Department of Revenue and to make a separate report thereof to the court of common pleas together with a statement of the balances due from or to such treasurer or other officer A certified copy of such report shall be transmitted to the Auditor General or Department of Revenue as the case may be within ten days after the same is prepared

Section 1925 Power of Subpoena and Attachment The controller shall have power to issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any person whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner an dto the same extent as any court of common pleas of this State may or can do in cases pending before them and also to compel in like manner the production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be served and executed by the sheriff or coroner of the county as the case may require

Section 1926 Power to Administer Oaths The controller shall have power to administer oaths and affirmations to all persons brought or appearing before him whether accountants witnesses or otherwise and all persons swearing or affirming falsely on such examination shall be guilty of perjury

Section 1927 Commitment to County Jail if any person appearing before the controller for examination shall refuse to take oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall be put to him by the controller touching the public accounts or the official conduct of any public officers such persons so refusing may be committed by the controller to the county jail by warrant under his hand and seal directed to the sheriff or any constable of the county setting forth particularly the causes of such commitment until he shall submit to be sworn or affirmed or to make answers to such questions or be otherwise legally discharged

Section 1928 Witness Fees Witnesses attending before the controller shall receive the same allowance as is received by witnesses attending before the courts of this Commonwealth Such allowance shall be paid out of the county treasury and where final judgment is given against any officer whose accounts are settled by the controller shall be included in the costs assessed against such officer

Section 1929 Settlement of Accounts on Exeraneous Proof If any person in possession of books vouchers or papers relative to public accounts before the controller shall refuse to produce the same or if any officer whose accounts are to be settled and adjusted by the controller shall refuse to attend or submit to examination the controller shall proceed by the examination of witnesses and other evidence to ascertain and settle as near as may be the amount of public money received by such officer and its application to public purposes or otherwise

Section 1930 Filing Reports The reports of the controller shall be filed among the records of the court of common pleas of the county and from the time of such filing shall have the effect of a judgment against the real estate of the officer who shall thereby appear to be indebted either to the Commonwealth or to the county

Section 1931 Appeals from Reports An appeal may be taken from such reports to the court of common pleas either by the Commonwealth the county or the officer Such appeal may also be taken by ten or more taxpayers in behalf of the county in the manner and subject to the restrictions provided by article thirty of this act

Such appeal shall be entered by the Commonwealth within four months and by the county and the officer within sixty days after the filing of the report If the officer is the appellant he shall enter into a recognizance with two sufficient sureties in double the sum found due by such report with condition to prosecute the appeal with effect and to pay the costs and such sum of money as shall appear on the final determination of the appeal to be due from him

Section 1932 Form of Issue on Appeals The courts of common pleas shall direct the form in which the issues shall be entered in all appeals from the reports of the county controller Such issues shall be tried by a jury or may be submitted to reference and arbitration in the manner and subject to the proceedings provided by law

Section 1933 Allowance of Counsel Fees When an appeal is taken from the controller's reports and such appeal results favorably to the appellants in such a manner that money is recovered for the county the court hearing such appeal shall make an order to pay a counsel fee which it deems just and reasonable to the counsel representing such appeal out of the funds so recovered

Section 1934 Payment of Costs on Appeal In case the appellant or appellants do not recover final judgment in court more favorable to him or them than the report of the controller he or they shall pay all costs that may accrue on his or their appeal but if he or they should recover in court a final judgment more favorable than the report of the controller then the appellee or appellees shall pay the costs that may accrue on such appeal

Section 1935 Appeals to the Superior or Supreme Court In all appeals from settlements or reports made by the county controller it shall ze lawful for any party to except to any ruling or decison of the court upon any question or point of law that may arise and an appeal may be taken therefrom the Superior or Supreme Court as in other cases

In no case shall the controller be personally liable for the costs of any such appeal If the final decision of the Superior or Supreme Court is adverse to the surcharged officer or officers he or they shall each be individually liable for all the costs of such appeal If such final decision shall be in favor of such surcharged officer or officers the county shall pay the costs of such appeal

Section 1936 Execution If no appeal is entered or if an appeal is entered and no security given as herein required or if upon such appeal judgment is given in favor of the Commonwealth or the county execution shall issue against the property or person of the defaulting officer in like manner as upon judgment recovered in the usual course of law

Section 1937 Fines and Forfeited Recognizances All fines forfeited recognizances and other forfeitures imposed lost or forfeited in any court except such as are directed to be paid into the State Treasury under the provisions of law or such as are collected for the violation of any ordinance shall by the clerk of such court be certified and estreated into the office of the commissioners of the county within ten days after the expiration of the term at which such fines and forfeitures were imposed together with the judgments and orders of the court on all forfeited recognizances sued upon in such court Such estreats or returns of fines and forfeitures shall be under oath or affirmation of the clerk All sums of moneys collected in pursuance thereof shall be paid to the county treasurer for the use of the county It shall be the duty of the commissioners to superintend the collections of said sums of money The accounts thereof shall be annually settled by the county controller Nothing herein contained shall impair the right of the respective Courts to moderate or remit forfeited recognizances as heretofore

Section 1938 Repayment of Money Collected or Forfeited Recognizances In all cases where the county commissioners have collected any money upon any forfeited recognizances duly estreated to the county commissioners and where the defendant in such case subsequently surrenders himself or herself to the jurisdiction of the court the county commissioners may with the consent of the district attorney repay to the party from whom such money was collected the amount so collected on such forfeited recognizance exclusive of all costs and expenses paid or insurred by the county in such proceeding

(c) Disbursals of County Moneys

Section 1950 Claims Against County The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the county All persons having such claims shall first present the same to the controller

and if required make oath or affirmation before him to the correctness thereof The controller may if he deems it necessary require evidence by oath or affirmation of the claimant and otherwise that the claim is legally due and that the supplies or services for which payments is claimed have been furnished or performed under legal authority He may inquire or ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise or has received or is to recieve any commission consideration or gratuity relating thereto or whether there has been any evasion of the provisions of this act by making two or more contracts for small amounts which should have been in one If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim All claims which he shall find legally due he shall certify to the commissioners

Section 1951 Drawing Warrants The commissioners shall draw no warrant on the treasury for any debt claim or demand whatsoever not audited and approved by the controller as provided for in the foregoing section except for the fees of jurors witnesses criers and tipstaves of the several courts of the county The amount of said fees shall be ascertained by said courts and entered on the records thereof and duly certified by their respective clerks to the commissioners being first sworn to before the controller Said certificate shall be delivered by the commissioners to the controller for preservation as soon as the warrants are issued

Section 1952 Warrants Reports on Financial Condition All warrants drawn on the county treasury by the commissioners shall be countersigned by the controller who shall keep a correct register thereof noting the number date and amount of each the date of payment and to whom and for what issued The controller shall report to the commissioners monthly or oftener if required by them the amount of outstanding warrants registered and the amount of money in the treasury

Section 1953 Payment of County Moneys The treasurer shall pay no money out of the county treasury except on warrants drawn by a majority of the commissioners and countersigned by the controller He shall cancel all warrants when paid by distinctly spearing or cutting them and shall deliver such warrants to the controller who shall also cancel the same He shall report daily to the controller all moneys paid out by him giving the number of the warrant and the party to whom paid

All outstanding warrants issued before the controller enters upon the duties of his office shall be presented to him as other claims against the county

Section 1954 Additional Clerk to Countersign Warrants The county controller may designate in addition to the chief clerk any clerk in his office to countersign warrants when properly drawn on the county treasurer whenever in the opinion of any such controller it is necessary so to do for the public convenience Warrants so countersigned by such clerk shall be honored by the county treasurer with the same force and effect as if countersigned by the county controller or his chief clerk during the period designated in writing to such county treasurer by the said county controller

(d) County Treasury and County Depositories

Section 1960 Duty of Treasurer Receipts of Money for the County The county treasurer shall receive all moneys due or accruing to the county He shall keep a just and true account of all moneys received and disbursed The books of the treasurer shall at all times during office hours be open to the inspection of the controller He shall report daily to the controller all moneys received by him for the county the person by whom and on what account they were paid The treasurer shall give his recipt for all moneys paid into the county treasury Such receipts shall be countersigned by the controller who shall keep an accurate record of the same

Section 1961 Board to Select Depositories The commissioners controller and treasurer of the county shall be a board for the purpose of selecting depositories for the funds of the county For the purpose of voting at their meetings the county commissioners shall each have one vote the controller one vote and the treasurer one vote The majority of said vote present at any meeting shall be sufficient to enable the board to transact its business

Section 1962 Meeting Number of Depositories The board shall meet at the office of the county controller not later than noon of the third Wednesday after the first Monday of January following the election of the county treasurer and thereafter as may be necessary and shall there decide upon the number of banks and banking institutions not less than three in number as depositories of county funds for such period of time as the board may determine but not to exceed the term for which the treasurer is elected

Section 1963 Designation and Qualification of Depositories At said meeting or at any subsequent meeting agreed upon said board shall designate the depositories and the rate of interest to be paid by them to the county

Depositories so designated shall upon receipt of notice of their selection as a depository of county funds furnish collateral to secure payment of deposits and interest to the county by depositing in escrow securities to be approved by the board Such securities shall be of the kind and in the amount to be fixed by the board Substitution of such securities may be made with the approval of the board in each case The board may designate a branch bank of the Federal Reserve Bank of the district located within the county as escrow agent for the keeping of securities and to perform such functions as the board may prescribe

The county treasurer upon the designation of such depository or depositories shall immediately transfer thereto all county funds and shall thereafter keep such deposits solely in such depository or depositories in the name of the county

(e) County Taxation Borrowing and Transfer of Funds

Section 1970 Tax Levies No tax shall be levied on personal property taxable for county purposes where the rate of taxation thereon is fixed by law other than at the rate so fixed The county commissioners shall fix by resolution the rate of taxation for each year No tax for general county purposes exclusive of the requirements for the payment of the interest and principal of the funded debt of any county shall in any one year exceed the rate of ten mills on every dollar of the adjusted valuation In fixing the rate of taxation the county commissioners if the rate is fixed in mills shall also include in the resolution a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

Section 1971 Temporary Loans Whenever the funds of a county have been exhausted the county commissioners may borrow on the credit of the county money in anticipation of taxes to be collected for the current fiscal year and issue a certificate of indebtedness payable on a certain date not exceeding one year from the date of issue

Section 1972 Transfer of Certain Moneys into the County Fund The commissioners may transfer into the county fund any money placed to the credit of any city borough or township where the same has been paid into the county treasury upon any duplicate for taxes and has remained during a period of ten years uncalled for by the authorities of the city borough or township to whose credit it may have been placed and the right to said money is not at the time of such transfer a matter of litigation or dispute

Section 1973 Transfer of Funds Whenever the county has available in any special or appropriation funds other than a sinking fund moneys for which there is no immediate use and another special or appropriation fund has immediate and advantageous use for moneys which such fund lacks but the procedure for the securing of which has been consummated the county commissioners shall have power by resolution with the approval of the controller of such county to temporarily transfer moneys from one special or appropriation fund wherein such moneys are not at the time required to a fund where such moneys can be so advantageously used and expended Moneys so transferred shall be returned to the fund from which borrowed as soon as sufficient moneys are accumu-

lated in the borrowing fund from authorized sources except in the case of moneys raised by taxation which are transferred from one budget fund to a similar fund which derives its moneys from taxation in which cases no such transfer shall be required

Section 1974 Banks Authorized to Receive Taxes The board for the selection of depositories shall have authority to designate any bank savings bank bank and trust company trust company or national banking association located within the county as a deputy county tax collector for the sole purpose however of receiving and receipting for county taxes paid to it at is place of business The county tax collector shall not be held responsible for losses occasioned by the failure of any such institution for moneys received by it as such deputy Each such institution acting as a deputy county tax collector shall within five days after the last day of each calendar month transmit to the county tax collector all moneys received by it as such deputy during such preceding month Each such payment shall be accompanied by an itemized statement showing what taxes have been paid the dates when paid and by whom they have been paid Such an institution shall not be allowed any compensation or commission for acting as such deputy other than expenses actually incurred in transmitting moneys and records of payments to the county tax colleceor

Every such institution before entering upon its duties of receiving and receipting for taxes shall post such security in such amount as shall be determined by the board to insure the faithful performance of its duties and the payment over of all tax moneys received by it

(f) Budgets

Section 1980 Fiscal Year Preparation of Annual Budget The fiscal year of the county shall begin on the first day of January and end on the thirty-first day of December of each year On or before the first day of February of each year and at least thirty days prior to the adoption of the annual budget the controller shall transmit to the commissioners a proposed budget giving a detailed estimate of and for the legitimate purposes of the county for the current year including interest due and to fall due on all lawful debts of the county bearing interest Such budget when finally adopted by the commissioners shall be the guide to the commissioners in fixing the tax rate Said budget shall be prepared as provided herein

The commissioners shall at the same time the budget is adopted fix such rate of taxation upon the valuation of the property taxable for county purposes as will raise sufficient sum to meet the said expenditures The commissioners shall not by contractor otherwise increase the expenditures of the county in any year to an amount beyond the taxes assessed as aforesaid for said year

Section 1981 Annual budget control of expenditures (a) The controller shall annually prepare a proposed budget for all funds for the next fiscal year at least thirty days prior to the adoption of the budget Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the county for the year for which the budget is prepared It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten percent in the aggregate over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases Said budget shall be prepared on forms furnished as provided herein Final action shall not be taken on the proposed budget by the county commissioners until after at least ten days public notice The proposed budget shall be published or otherwise made available for public inspection by all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The county commissioners shall after making such revisions and changes therein as appear advisable adopt the budget and necessary appropriation measures required to put it into effect

(b) Within fifteen days after the adoption of the budget the county commissioners shall file a copy of the same in the office of the Department of Internal Affairs

(c) The county commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law

(d) The county commissioners shall have power to authorize the transfer within the same fund of any unencumbered balance or any portion thereof from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year

(e) No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the county commissioners which will cause the sums appropriated to be exceeded

Section 1982 Committee to Prepare Uniform Forms (a) The budget and report forms specified herein shall be prepared by a committee consisting of three representatives from the Pennsylvania State Association of County Commissioners three representatives from the Pennsylvania State Association of County Controllers and the Secretary of Internal Affairs or his agent who shall be a person trained in the field of municipal finance

(b) Such representatives shall be appointed by the president of each said organization The president of each said organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment Said representatives shall serve without compensation but they shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

(c) In preparing the uniform forms for both budgets and annual reports the committee shall give careful consideration to the differing legal requirements and needs of the counties of the several classes producing if necessary separate forms for certain classes of counties or groups of classes

(d) It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with said committee Should said committee for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall complete the preparation of the forms After their preparation he shall issue said forms and distribute them annually as needed to the commissioners controller or auditors of each county

(g) Sinking Fund Commission

Section 1990 Membership In the county there shall be a sinking fund commission composed of the commissioners the controller and treasurer

Section 1991 Management of Sinking Funds The sinking fund commission shall annually apply all interest received on sinking fund deposits and all interest received on bonds held in the sinking fund and all other income if any from the sinking fund for the purpose of reducing the amount of money required to be paid by the county for sinking fund purposes for the ensuing year unless such income is necesary for the purpose of having adequate funds on hand to pay the bonds of the county as they mature and become payable The income so applied and the amount required to be paid by the county for sinking fund purposes shall annually equal the full amount required to be paid for sinking fund purposes to the several sinking funds

The commission shall have the power whenever it deems it necessary and for the best interests of the sev-

eral sinking funds to sell any bonds held by it other than those of the county itself

Section 1992 Bonds of County Held by Commission All bonds of the county held by the sinking fund commission shall be stamped in a conspicuous manner to show that they have been purchased for this purpose They shall never be reissued or sold The sinking fund commission shall not require the county to pay interest on any of its bonds held by the commission unless the commission deems the payment thereof necessary for the purpose of having adequate funds on hand to pay the bonds or said county as they mature and become payable All bonds of the county held by the commission shall be cancelled immeriately upon their maturity

Section 1993 Paying Off and Cancelling of County Bonds Priorty Sale of County Bonds in Certain Cases In order to facilitate the extinguishment of the county debt the county bonds purchased by the commission from time to time shall be paid off and cancelled according to the priority of their maturity The commission may at its discretion withhold the purchase of such maturing county bonds until after those purchased from a later issue of county bonds shall be paid off and cancelled In such an event if it appears that there will not be sufficient funds in the hands of the commission to meet the payment of such earlier maturing bonds the same shall then be sold by said commission at not less than par

Section 1994 Investment in New County Bonds Whenever any new bonds shall be issued by the county the commission may invest the uninvested balance in its sinking fund except so much as may be required for the payment of any bonds that may mature during the fiscal year in which such new bonds are issued and which the commission may desire to cancel and not sell

Section 1995 Deposite of Money Received Interest All moneys received by the commission at any time shall immediately be deposited in one or more banks or banking institutions which are now or hereafter shall be designated as county depositories The rate of interest to be paid by depositories to the commission shall be the highest rate obtainable calculated on daily balances The commission may reinvest said interest with the other income from the bonds in their possession

(h) Sale of Revenue Bills

Section 1997 Sale of Revenue Bills Authorized Terms and Conditions Redeemability (a) The county shall have power by ordinance or resolution to provide for the issue and sale during any fiscal year of revenue bills which bills may be issued at a discount if purchased in advance of the due date of the taxes for such fiscal year or at face if purchased after the due date of such texes The discount allowed on such revenue bills shall not exceed five per centum and the discount on such bills shall vary according to the date at which the same are purchased

(b) Such revenue bills shall be issued in multiples of ten dollars ($10) each and shall be issued only for the fiscal year during which they are sold The total issue of revenue bills in any fiscal year shall not exceed the amount of taxes levied or to be levied for that fiscal year including any special taxes Such revenue bills shall be negotiable by the holder thereof

(c) The revenue bills issued and sold in any fiscal year shall not be redeemable by the county in money but shall be used by the holder thereof only for the payment of taxes due the county for the year for which such revenue bills were issued and shall be received by the collector or receiver of taxes of any other person authorized to recieve payment of taxes for the county at face value in payment of any taxes for such fiscal year or any penalties interest or costs due thereon Such revenue bills may be received in payment of taxes at any time so long as they shall be credited against any taxes due the county for the year for which they were issued and sold

Article XX

Contracts

Section 2001 County Commissioners to Make Contracts The County Commissioners may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this section and the laws of the Commonwealth

(a) All contracts or purchases in excess of five hundred dollars ($500) shall be in writing and except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder meeting specifications after due notice in at least one newspaper of general circulation published or circulating in the county at least three (3) times at intervals of not less than three (3) days where daily newspapers of general circulation are employed for such publication or in case weekly newspapers are employed then the notice shall be published once a week for two (2) successive weeks The first advertisement shall be published not less than than ten (10) days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five (5) days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing performance of the contract with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty (20) days after the contract has been awarded unless the commissioners shall prescribe a shorter period of not less than ten (10) days and upon failure to furnish such bond within such time the previous awards shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by the commissioners involving an expenditure of over five hundred dollars ($500) which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works Provided That they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the county commissioners as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by the county through its own employes Provided That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by the county commissioners which are patented and manufactured products of copyrighted products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies but the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Article XXI

Special Powers and Duties of the County

(a) Appropriations for Military Purposes

Section 2101 Appropriation of Money or Land for

National Guard Armories (a) The board of commissioners may either independently or in connection with any other county or with any town borough or township provide and appropriate mneys or convey land to the Commonwealth of Pennsylvania to assist the Armory Board of the State of Pennslyvania in the erection wherever deemed most advantageous by the Armory Board of armories for the use of the National Guard of Pennsylvania The board of commissioners may acquire land for such purpose at tax sale by gift by the right or eminent domain or otherwise

(b) The board of commissioners may also furnish water light or fuel either or all free of cost to the Commonwealth of Pennsylvania for the use in any armory of the National Guard and may do all things necessary to accomplish such purpose

Section 2102 Appropriation for Maintenance of National Guard (a) The board of commissioners may appropriate annually from any moneys in the county treasury not otherwise appropriated a sum not exceeding seven hundred and fifty dollars ($750) for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars ($1500) for the support and maintenance discipline and training of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization

(b) Any moneys so appropriated shall be paid by warrant of the commissioners drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the commissioners by the Adjutant General or the State that such unit or units have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by proper vouchers to the county each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

(c) The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the controller in the manner provided by law for the audit of accounts of county moneys

Section 2103 Appropriation to Rifle-Clubs in Time of War (a) At any time a state of war exists the board or commissioners may appropriate money to civilian rifle clubs duly chartered by the National Rifle Association of the United States of America for the maintenance and rental of rifle-ranges the employment of competent instructors and necessary employes and for the equipment and uniforms for the members of such clubs who volunteer for special military duty in the county or answer any call of the Governor of the Commonwealth

(b) No moneys shall be appropriated to any such club unless practice on such rifle-range by the members of the club shall be with the United States military rifle or arms approved by the State Adjutant General

(b) Burial of Deceased Service Persons and Widows

Section 2108 Definitions (a) The term "deceased service person" as used in this subdivision shall mean and include

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Air Force Marine Corps Coast Guard or any women's organization officially connected therewith during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the Department of Defense of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War who was not duly mustered into the service of the United States but was honorably discharged or relieved from such service

(b) The term "legal residence" as used in this subdivision shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

Section 2109 Funeral Expenses of Deceased Service Persons (a) The county commissioners of the county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed six hundred dollars ($600) In the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter

(b) Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor shall be on the county where the deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have a legal residence within this Commonwealth if the county commissioners of the county where he or she died are notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) Where a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75) or so much thereof as was actually expended by the home

Section 2110 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of the county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75)

from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county The county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed six hundred dollars ($600) nor unless application for the payment of such moneys shall be made within one year after the death of the death of such widow

Section 2111 Payment (a) It shall be the duty of the county commissioners of the county to cause a warrant to be drawn upon the treasury of the county in the sum of seventy-five dollars ($75) for each body buried in accordance with the provisions of this sub-division to be paid out of the funds of the county and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

(b) Application for such contribution shall be made by the personal representative of such deceased service man or deceased service man's widow if there be such personal representative and if no such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body The application shall be sustained by affidavit as to the facts

(c) The application shall be on forms prescribed by the Department of Military Affairs and shall set forth whether or not the funeral expenses have been paid The application shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service and that the cost of burial did not exceed the sum of six hundred dollars ($600)

Section 2112 Notification to County Commissioners The coroners and all other public officers agents and servants and all officers agents and servants of any county city township borough district or other municipality or of any prison morgue hospital home or other public institution having the control or custody of the body of the deceased service person whose body is entitled to be buried under the provisions of this subdivision shall immediately upon the death or arrival of the body of such deceased service person notify the county cimmossiners of the county wherein such death occurred or wherein such deceased service person shall have had his legal residence

Section 2113 Markers or Graves Headstones (a) The county commissioners of the county shall from time to time as they consider expedient procure appropriate markers for the graves of deceased service persons Such markers shall be of cast bronze but no board of commissioners shall be required to discard any markers of other materials already purchased whether or not already installed No new markers shall in the future be purchased of metal other than cast bronze Suitable nonmetal substitutes may be used during periods of national emergency so proclaimed by the President of the United States when all available metals are required for war materials

(b) The county commissioners shall procure bronze markers from some manufacturer or manufacturers engaged in the manufacturing of the same and in the contract for the furnishing thereof the manufacturer furnishing the bronze markers shall warrant that the same are made of the following metals and in the following proportions copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum

(c) The manufacturer shall be liable to the county to an amount equal to the sum paid to him by the county for the markers if the above proportions of metals are not contained in the markers

(d) Nothing except actual fraud on the part of the county commissioners shall render them liable for any amount if it is established that the markers are not composed of the metals in the proportions above recited

(e) No officer trustee association corporation or person in control of any cemetery or a public burying ground shall have the right to question the composition of such bronze markers or to require that any of them be chemically analyzed before being placed in the cemetery or under any circumstances to refuse to permit the erection thereof in the cemetery or public burying ground or to charge for making the foundations for the same more than is charged for making similar foundations of the same proportions Any person who violates any of the provisions of this subsection shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than ten dollars ($10) nor more than one hundred dollars ($100) for each offense

(f) The county commissioners of the county are hereby authorized and directed to place a marker upon the grave of each deceased service person who at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county and upon the grave of each deceased service person buried in the county who at the time of his or her death did not have a legal residence within this Commonwealth When such deceased service person shall have been a veteran of any war or campaign for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button

(g) It shall be the duty of the county commissioners of the county upon or at any time subsequent to the death of any deceased service person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person

(h) Each headstone shall contain his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep The headstone shall be of either marble or granite and shall be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide the concrete base therefor or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering

(i) In the event the body of any deceased service person either cannot or will not be returned to the United States of America it shall be the duty of the county commissioners to cause a headstone to be placed in the family plot of such deceased service person Said headstone shall have inscribed therein (1) the name rank and organization of such deceased service person (2) the name of the country location or manner in which such persons lost his or her life and (3) the cemetery or location in which the body if buried was finally laid to rest Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend if there is no objection by the nearest relative Each application must be approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged

(j) The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county The expense shall not exceed the sum of seventy-five dollars ($75) for each headstone or concrete base or lettering or bronze memorial tablet and the county commissioners of the county acting under this section shall cause to be drawn a warrant on the treasury of the county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze memorial tablet

(k) In cases of dispute concerning the legal residence of a deceased service person the county in which a deceased service person is buried shall perform the duties hereinbefore set forth No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners

(l) Any person who shall wilfully maliciously or carelessly destroy mutilate remove or deface any grave marker or headstone placed or erected under the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars ($500) or suffer imprisonment not to exceed two years or both

Section 2114 Burial Plots The county commissioners of the county are hereby authorized to purchase plots of ground in any cemetery or burial ground in the counties for the interment of deceased service persons whose bodies are entitled to be buried under the provisions of this subdivision and to cause to be drawn a warrant upon their county treasury for the payment of the same The purchase price of said plots of ground shall not be charged against or allotted as part of the cost of burial of such deceased service persons who may be buried in any of said plots under the provisions of this subdivision

Section 2115 Care of Graves and Markers The county commissioners of the county shall at all times see that the graves and tombstones of all deceased service persons who are buried in such county receive proper and fitting care and may employ all necessary assistance to carry out the provisions of this section The expense of the care of such graves and tombstones shall be borne by the county where said graves are located except where suitable care is otherwise provided Money so appropriated may be expended directly by the county commissioners or paid over to the person firm association or corporation owning or controlling any cemetery or burial place in the county where any such grave is situated The sum so paid over in any year shall not exceed for each grave the charge for the annual care and maintenance of like graves in the same cemetery or if no such fixed charge is established in that cemetery it shall not exceed the sum charged in other cemeteries in the same county for like service

Section 2116 Proof of Service Et Cetera (a) In each case where application is made for a contribution towards the funeral expenses of a deceased service person or the widow of a deceased service person or for a headstone or concrete base or lettering or bronze memorial tablet the county commissioners shall before expending any money therefor require proof of the following facts

(1) The service of the deceased service person which entitles him or his widow to the benefits of this subdivision Such proof shall be by the production of an honorable discharge or other official record showing service during any war in which the United States is or was engaged or by the records of the Department of Defense of the Federal Government or by copies thereof filed in the Department of Military Affairs showing the existence of a campaign or state or condition of war the participation of the United States therein and the service of the deceased service person in a zone where such campaign or state or condition of war existed

(2) The death of the deceased service person

(3) In the case of the burial of the widow of a deceased service person the death of such widow and the fact that she was married to the deceased service person at the time of his death and that she has not since remarried The proof required by clauses one and two of this subsection shall also be required in such cases

(4) Except in cases where persons not having a legal residence within this Commonwealth are entitled to any of the benefits of this subdivision the legal residence within the county of the deceased service person or of the widow of a deceased service person as the case may be

(b) Death shall in all cases be proved by death certificate where the same is procurable otherwise by affidavit of one or more persons personally acquainted with the deceased and the fact of his or her death or by proof of the record of death kept by the attending physician or by proof of the record of burial kept by the undertaker by whom he or she was buried or by the church burial association or cemetery company maintaining the graveyard burial ground or cemetery in which he or she was buried

(c) Where any proof required by this subdivision has been furnished to the county commissioners no further proof of the same facts shall be required in order to obtain any other benefit under the provisions of this subdivision

(c) Memorial Observances

Section 2121 Appropriations to Veterans' Organizations for Expenses of Memorial Day (a) The board of commissioners may appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American War Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four (P. L. 73) and the supplements thereto in the county a sum not to exceed three hundred dollars ($300) to aid in defraying the expenses of Memorial Day and the Armistice Day

(b) Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of graves of Union veterans of the Civil War

(c) Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 2122 Flags to Decorate Graves (a) It shall be the duty of the county commissioners to provide flags on each Memorial Day with which to decorate the graves of all deceased service persons buried within the county The flags to be used for said purposes shall be of one standard size and shall be purchased at the expense of the county from moneys in the county treasury

(b) Such flags shall be furnished to the various veterans' organizations in such numbers as they shall require for their respective communities

(c) The moneys expended by any county under the provisions of this section shall be in addition to moneys appropriated by the county for Memorial Day purposes

(d) The authorities in charge of any cemetery are authorized to remove such flags when the same become unsightly or weatherworn at any time not less than ninety days after the flags have been placed on graves

Section 2123 Compilation of War Records Director of Veterans' Affairs (a) The County commissioners of the county are hereby authorized and directed at the expense of the county to compile a record of the burial places within such county of deceased service person Such record so far as practicable shall indicate the name of each such person the service in which he or she was engaged the number of the regiment or company or command the rank and period of service the name and location of the cemetery or other place in which his or her body is interred the location of the grave in such cemetery or other place and the character of headstone or other marker if any at such grave Such record shall be known as the Veterans' Grave Registration Record of ..... County and shall be a public record open to inspection during business hours

(b) The county commissioners of the county shall cause record blanks to be prepared according to forms prescribed by the Department of Military Affairs whereby the information required for such record may be transmitted to them

(c) Every person firm association or corporation including a municipal corporation owning or controlling any cemetery or burial place within the Commonwealth in which are interred the bodies of deceased service persons shall file with the county commissioners of the county in which such cemetery is located a certificate on the record blanks provided by said county commissioners of the facts required for such record as far as the same are within the knowledge of such person firm association corporation or the agents thereof

(d) The county commissioners shall cause record blanks to be distributed to such persons firms associations and corporations as they deem advisable with the request that such information be transmitted to them Any such person firm association or corporation except municipal corporations upon receipt of such blanks or forms who shall refuse or neglect to fill out and transmit to the county commissioners such blanks or forms within six months after receipt of same upon conviction thereof in a summary proceeding shall be sentenced to pay a fine of one hundred dollars ($100)

(e) For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion the Disabled American Veterans the American Veterans of World War II (AMVETS) and the Marine Corps League through their local camps posts and branches in this Commonwealth are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section

(f) For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a director of veterans affairs who shall receive such compensation as the salary board may fix

(g) It shall also be the duty of the director of veterans affairs to

(1) Assist the county commissioners in administering the provisions of this subdivision which relate to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(2) Assist war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the directors of veterans affairs shall be entitled to his expenses incurred therein and additional compensation Both expenses and compensation shall be subject to the approval of the salary board or the county commisisoners as the case may be

(3) Assist the county commissioners in transmitting records of burial places of deceased service persons to the Department of Military Affairs of the Commonwealth for the use of the Deputy Adjutant General in charge of Veteran Affairs and otherwise assist the commissioners in cooperating with the said Deputy

(d) County Histories

Section 2128 County History The county commissioners of the county either independently or in connection with any other municipality or municipalities within their county or any society or organization may appropriate money for the compilation of a county war history or any general history or historical account related to the history records and government of the county and for the publication and distribution of the same

Section 2129 Payment to Historical Societies The board of commissioners may pay out of the county funds not otherwise appropriated a sum of money not exceeding two thousand dollars ($2000) annually to the county historical society to assist in paying the running expenses thereof If there is more than one such society in the county such payment may be made only to the oldest society Where any such society is comprised of residents of more than one county the commissioners of said respective counties may jointly pay said sum in such proportion as they shall agree

No such appropriation shall be renewed until vouchers have been filed with the commissioners showing that the appropriation for any prior year has been expended for the purpose herein designated

Section 2130 Qualification of Society In order to entitle any historical society to the said appropriation the following conditions shall have been first complied with It shall have been organized at least two years incorporated by the proper authority and have an active membership of one hundred or more persons each of whom shall have paid into the treasury of said society a membership fee of at least two dollars ($2) for the support of the same It shall hold at least two public meetings yearly whereat papers shall be read or discussions held on historic subjects It shall have established a museum wherein shall be deposited curios and other objects of interests books documents and papers relating to the history of the county or Commonwealth It shall have adopted a constitution and code of by-laws and elected proper officers to conduct its business

(e) Animal and Plant Husbandry

Section 2135 Appropriations to Societies for Prevention of Cruelty to Animals The board of commissioners may appropriate moneys toward the maintenance of any organization or society incorporated under the laws of this Commonwealth for the prevention of cruelty to animals and which for a period of at least two years prior to the making of such appropriation shall have been engaged in carrying out the purposes of its incorporation in whole or in part within said county

Section 2136 Agricultural Extension Work The board of commissioners may appropriate a sum not to exceed twelve thousand dollars ($12,000) annually for agricultural extension work in cooperation with the Pennsylvania State College in encouraging improved methods of farm management and home economics and giving practical instruction and demonstrations in agriculture for the proper authority of improving and developing the agricultural resources of the county The money so appropriated shall be expended according to rules and regulations prescribed or approved by the board of commissioners The board of commissioners may also where practicable and desirable provide offices in the county court house for headquarters for such cooperative work

Section 2137 Agricultural or Horticultural Societies The county commissioners are hereby authorized to make appropriations annually out of the current revenues of the county to any incorporated agricultural or horticultural society or association located within the county The total amount of any such appropriation in any one county shall not exceed fifteen hundred dollars ($1500) in any one year

Where more than one such society or association is located in the county the amount appropriated may be distributed and divided among said societies and associations in such proportions and such amount as the board of commissioners in its discretion may determine

Section 2138 Suppression of Animal and Plant Diseases The board of commissioners is hereby authorized to make appropriations from county funds for the purpose of controlling and suppressing dangerous infections disease of livestock and poultry and dangerous plant diseases and insect pests and diseases to honeybees in cooperation with the Department of Agriculture of Pennsylvania

For the purpose of carrying out the provisions of the section the board of county commissioners may enter into agreements with the Pennsylvania Department of Agriculture concerning terms rules regulations and practices for conducting the work

(f) Communications

Section 2143 Appropriations for Radio Broadcasting Station The board of commissioners of the county may appropriate annually a sum not in excess of five hundred dollars ($500) for the purpose of assisting any navy reserve unit or amateur radio league in maintaining equipping and operating a short wave radio broadcasting station which shall be available at all times for public use in the event of emergency or disaster

(g) Prevention and Control of Floods

Section 2147 Prevention and Control of Floods (a) The board of commissioners may borrow appropriate and expend money for the purpose of cleansing regulating improving and controlling rivers streams and other bodies of water lying within the boundaries of the county either in whole or in part for the prevention and control of floods They may make contracts and expenditures for the cleansing regulation improvement and control of such waters and for the prevention and control of floods by storage or retaining reservoirs or otherwise in parts of such waters beyond the limits of the county or of the Commonwealth when in their judgment such expenditures may be necessary and for the benefit of the county

(b) The commissioners may also make appropriations and expenditures for the purpose of investigating and examining or for assisting in the investigation and examination of the condition of such waters within or without the bounds of the county or of the Commonwealth for the purpose of facilitating the ends aforesaid

(c) The commissioners may enter into such arrangements and agreements with the Secretary of Defense or other public authorities empowered to act in the premises under any law of the United States or of this or any other State as may be necessary and proper for such purposes with a view to harmonious and efficient action and proportionate contribution as nearly as may be arrived at or be practicable

(d) In exercising the powers herein conferred the county commissioners may in their discretion subject to the limitation of the Constitution issue interest bearing bonds of the county in accordance with the provisions of the Municipal Borrowing Law

(h) Aid to Fire Fighting Departments And Companies

Section 2152 Fire Training Schools The county commissioners may establish equip and maintain fire training schools or centers for the purpose of giving instruction and practical training in the prevention control and fighting of fire to the members of paid fire departments and volunteer fire companies in any city borough town or township within the county

(i) Utilities

Section 2155 Drilling Gas Wells and Laying Gas Lines (a) The board of commissioners may contract for the drilling of gas wells upon any lands owned by the county for the purpose of furnishing gas for light and fuel to the county buildings and for other purposes For that purpose they may also contract for the laying of gas lines equipped with such modern appliances and machinery as may be necessary

(b) All such contracts including contracts for the building of rigs or derricks and the purchase of machinery shall be made by the county commissioners in the manner provided for in article twenty of this act

Section 2156 Contracts for Relocation Change or Elevation of Railroads Subject to the provisions of the Public Utility Law the board of commissioners may enter into contracts with any railroad companies whereby the said railroad companies may re-locate change or elevate their rairoads within the county in such manner is in the judgment of the board may be best adapted to secure the safety of lives and property and promote the interest of the county For such purpose the board shall have power to do all acts that may be necessary and proper to effectually carry out such contracts

Section 2157 County May Assist Municipalities Upon the request of any political subdivision or subdivisions within the county the county may assist such political subdivision in any negotiations or contest with any public utility company and for such purpose may employ or place at the disposal of such political subdivision the legal engineering accounting or clerical service of the county The county commissioners of the county may also enter their appearance as interveners or otherwise in any proceedings before the Public Utility Commission or before any court in any proceeding involving any controversy between any political subdivisions in the county and a public utility company

(j) Law Libraries

Section 2162 Appropriations for Law Libraries The county commissioners shall at their annual budget session make such appropriation for law libraries established for public use as may be necessary and sufficient to properly support and maintain said libraries Said appropriation shall be in lieu of all fines and forfeitures as directed to be paid to such libraries by existing laws

(k) Rewards

Section 2171 Rewards for Detection or Apprehension of Criminals The board of commissioners when they deem the same expedient may offer such reward in addition to that authorized by law as in their judgment the nature of the case requires for the detection or apprehension of any person charged with or perpetrating any felony or misdemeanor or aiding or abetting the same Upon the conviction of such person the county commissioners may pay such reward out of the county treasury but in no case shall the owner of any stolen property be entitled to any of the reward for the detection or apprehension of the person guilty of the larceny In cases of misdemeanor the county commissioners must have the approval of the president judge of the court of common pleas of the county before offering or paying such reward

(l) Garbage and Refuse Disposal

Section 2175 Garbage and Refuse Disposal in County Plants The county commissioners of the county shall have the power to operate garbage and refuse disposal plants or facilities sanitary land fills and incinerating furnaces and to enter into agreements or contracts with any person corporation or political subdivision for the disposal of garbage and refuse in such facilities and sanitary land fills erected and maintained by the county as provided in article twenty-five of this act and to charge and receive fees for such service

Section 2176 Garbage Disposal For the purpose and within the meaning of this act the following definitions shall obtain

"Adequate provision for drainage" means closed or covered drains leading from floors depositories of garbage refuse or waste into a cesspool or cesspools sewer and treatment works

"Adequate water supply" means a head and source of water of sufficient force pressure and volume when directly applied to completely flush out and clean all floors drains receptacles depositories equipment and implements used in the conduct of a garbage disposal plant as often as may be necessary to keep the same clean and sanitary at all times

"Cesspool" means a hole dug below the surface of the ground adequate to dispose of all liquids emanating from a garbage disposal plant with a device for absolutely sealing such cesspool at the top

"Garbage" means the animal or vegetable refuse from the storage vending transportation sale preparation or use of foodstuffs such as meats fish fowl fruits or vegetables or any other organic substance or substances subject to fermentation or decay

"Garbage disposal plant" means any place where garbage is dumped spread mixed stored incinerated reduced treated buried or otherwise disposed of

"Impervious material" means any material which shall make and maintain the floors depositories of garbage and waste at all times absolutely water-tight and easily cleaned

"Municipality" means any county city borough or township

"Person" includes masculine and feminine and any firm copartnership institution association or corporation excepting municipal and quasi-municipal corporations and any agent servant assistant employe or representative thereof

"Waters of the Commonwealth" means all streams and springs and all bodies of surface and of ground water whether natural or artitificial seasonal or constant within the boundaries of the Commonwealth

Section 2177 License for Disposal Plant It shall be unlawful for any municipality or person to keep maintain or conduct a garbage disposal plant without a plant license from the county commissioners as in this act provided It shall also be unlawful for any municipality or person to construct a garbage disposal plant within the county until the plan and specifications therefor have been submitted to and approved by the county commissioners and a plant license has been issued by the county commissioners authorizing such municipality or persons to keep maintain or conduct such garbage disposal plant upon its construction Provided however That the provisions of this section shall not apply to a garbage disposal plant constructed by or for the use of a municipality within its boundaries

Section 2178 Application for License Every municipality or person desiring to construct keep maintain or conduct a garbage disposal plant within the county shall file an application for such plant license with the county commissioners Provided however That none of the provisions of this section shall apply to a garbage disposal plant now or hereafter constructed by or for the use of a municipality within its boundaries The application shall be on a form prescribed prepared and furnished by the county commissioners and together with such other information as the county commissioners shall require shall state

(a) The name and address of the applicant

(b) The name and address of the owner or owners of the property upon which applicant desires to construct keep maintain or conduct such garbage disposal plant

(c) The location and locality of the property

(d) The method to be employed in disposing of garbage

(e) The approximate amount of garbage to be disposed of daily

(f) The municipalities with whom the applicant has a contract for the disposal of garbage and the duration thereof

If the application is for the construction of a garbage disposal plant the applicant shall submit with such application the plans and specifications pertaining to such construction

Section 2179 Issuance of License Fee Refusal or Revocation Upon receipt of an application for a plant license the county commissioners shall cause such investigation as it shall deem necessary to be made of the location and premises where the garbage disposal plant is desired to be constructed kept maintained or conducted and shall make a study of the plans and specifications pertaining to the proposed construction of any garbage disposal plant The county commissioners shall when satisfied that the place to be used as a garbage disposal plant is a suitable place for such purpose and is properly equipped therefor and when all the requirements of this act and the rules and regulations of the county commissioners shall be complied with issue a plant license to the applicant upon the payment of a license fee of one hundred dollars ($100) except when the applicant is a municipality which shall be paid into the county treasury A plant license issued to a municipality shall be without the payment of a fee

All plant licenses issued by the county commissioners under this act shall expire on the first day of June next following the day on which issued unless sooner revoked or suspended shall be on a form prescribed by the county commissioners shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application and payment of license fee as in the procurement of an original license Applications for renewal of plant licenses shall be mailed to license holders by the county commissioners at least thirty days before the expiration date of such licenses

The county commissioners may refuse to grant a plant license or may suspend or revoke a license if the applicant or licensee does not meet or conform to the requirements of this act and the rules and regulations of the county commissioners authorized by this act Before the county commissioners shall refuse to grant such a license or shall suspend or revoke a license they shall afford the applicant or licensee an opportunity to be heard and shall give at least five days' written notice of the hearing to the applicant or licensee by registered letter sent to the address set forth in the application

Section 2180 Transportation License for Vehicles It shall be unlawful for any person to transport or cause to be transported any garbage over any public highway in the county in any vehicle unless such person has applied to and received from the county commissioners of the county as in this act provided a transportation license in respect of such vehicle Such license shall be in the possession of the driver of such vehicle at all times when garbage is being transported therein and until such vehicle has been thoroughly flushed out and cleaned after transporting garbage and shall be exhibited to any county or municipal police officer county road caretaker constable deputy constable or other peace officer or officer invested with the powers of a peace officer upon his request

Section 2181 Application for Transportation License Every person desiring to transport garbage in any vehicle within the county shall file an application for a transportation license in respect of such vehicle with the county commissioners of the county upon a form prescribed prepared and supplied by the county commissioners which together with such other information as the county commissioners shall require shall contain

(a) The name and address of the applicant

(b) The name and address of the owner of the vehicle if the same be owned by some person other than the applicant

(c) A description of the vehicle sufficient to identify it and to show in detail its style of construction

(d) The locality from which the garbage is proposed to be collected

(e) The persons and municipal and quasi-municipal corporations with whom and which the applicant has contracts for the collection of garbage

(f) The place where and the method by which the applicant proposes to dispose of the garbage hauled and the persons with whom the applicant has contracts for the disposal of garbage

Section 2182 Inspection by County Commissioners Refusal or Revocation of Transportation License Upon receipt of an application for a transportation license in respect of any vehicle the county commissioners shall cause to be made such inspection thereof as they shall consider necessary and if satisfied that the vehicle is properly equipped and suitable for the purpose and that the rules and regulations of the county commissioners have been and will be complied with shall issue a transportation license in respect of such vehicle upon the payment of a license fee as follows

(a) If the applicant for the transportation license is the licensee under a plant license for a garbage disposal plant situated within the county where the application for the transportation license is made the transportation license fee shall be one dollar ($1)

(b) If the applicant for the transportation license is not the licensee under any plant license from the county but the garbage which the applicant proposes to transport originates upon the applicant's own premises as an incident only of the prosecution of another business in which the applicant is principally engaged the transportation license fee shall be five dollars ($5)

(c) If the applicant for a transportation license is a municipality the transportation license shall be issued without the payment of a fee No license however shall be required for a municipality to transport garbage solely within its own boundaries

(d) In all other cases the transportation license fee shall be ten dollars ($10)

All transportation licenses issued by the county commissioners under this act shall expire on the first day of June next following the date on which issued unless sooner revoked or suspended shall be in a form prescribed by the county commissioners shall not be transferable from one person to another shall not be transferable from one vehicle to another except by action of the board of county commissioners which action shall be evidenced by the issuance of a new license certificate properly describing the vehicle to which the license is transferred after surrender of the old license certificate and may be renewed from year to year upon application and payment of the license fee as in the procurement of an original license Application for renewal of transportation licenses shall be mailed to license holders by the county commissioners at east thirty days before the expiration date of such licenses

The county commissioners may refuse to grant a transportation license or may suspend or revoke such a license if the applicant or licensee does not meet observe or conform to the requirements of this act and the rules and regulations of the county commissioners authorized by this act Before the county commissioners shall refuse to grant such a license or shall suspend or revoke a license they shall afford the applicant or licensee an opportunity to be heard and shall give at least five days' written notice of the hearing to the applicant or licensee by registered letter addressed to the applicant or licensee at the address set forth in the application

Section 2183 Municipalities Not to Contract with Unlicensed Persons No municipality in the county shall enter into a contract for the collection transportation or disposal of its garbage with any person or municipality who or which has not secured proper licenses from the county commissioners under the provisions herein The provisions of this section shall not apply where the collection transportation or disposal of garbage is carried on wholly within the boundaries of a municipality so contracting

Section 2184 Unlawful Disposal Dumping Grounds No municipality or person who transports garbage or who keeps maintains or conducts a garbage disposal plant in the county shall throw spread or deposit any garbage offal pomace dead animals decaying matter or organic waste substance of any kind in any ravine ditch or gutter on any street or highway into any waters of the Commonwealth or permit the same to remain exposed upon the surface of the ground

No person or municipality shall use or permit his or its property or property occupied by him in the county to be used as dumping ground or place of disposal for garbage or waste from any garbage disposal plant

Nothing contained in this section however shall be construed so as to interfere with bona fide use of recognized fertilizers for legitimate agricultural purposes

Section 2185 Suppression of Noxious Odors No person or municipality who keeps maintains or conducts a garbage disposal plant in the county shall allow any noxious exhalations odors or gases that are or may be deleterious or deterimental to public health or are vile or offensive to escape into the air or any substance that is deleterious or detrimental to public health to accumulate upon the premises or be thrown or allowed to discharge into any street roadway or public place or be thrown or allowed to discharge into any stream or other waters of the Commonwealth

Section 2186 Water Supply Drainage Floor Construction All garbage disposal plants in the county shall have an adequate water supply for the purpose of keeping the place clean and sanitary at all times All floors shall be constructed of concrete or other impervious material and shall have adequate provision for drainage to a cesspool to a sewer or treatment works approved by the commisisoners

Section 2187 Examination and Inspection of Plants The county commissioners shall have the power to visit examine and inspect all garbage disposal plants and all vehicles licensed under the provisions herein and all places where such vehicles are kept stored or garaged The county commissioners shall have free and full access to the grounds premises and buildings of any garbage disposal plant licensed under the provisions herein and any such vehicles storage place and all licensees or their employes are hereby directed to give to the commissioners such means facilities and opportunity for such visitation examination and inspection as is hereby provided and required

Section 2188 Existing Ordinances Saved from Repeal The provisions herein and the regulations made hereunder shall not be taken or deemed to repeal existing municipal ordinances or to prevent municipalities from enacting and enforcing new ordinances for the further protection of the public health Provided That the provisions herein shall be considered as establishing minimum requirements and regulations and that nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue licenses to such persons as may be defined by local ordinances

Section 2189 Rules and Regulations The county commissioners are hereby authorized to adopt and promulgate rules and regulations which in its judgment are necessary for the proper administration and enforcement of this act

Section 2190 Plant as Nuisance Any garbage disposal plant in the county kept maintained or conducted in violation of the provisions herein is hereby declared to be a public or common nuisance

Section 2191 Penalties Any person violating the provisions of this act shall upon summary conviction before a mayor burgess magistrate alderman or justice of the peace be sentenced to pay a fine of not more than one hundred dollars ($100) and costs of prosecution for each offense and upon the nonpayment thereof shall undergo imprisonment in the county jail for a term of not more than thirty (30) days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction Provided also That the Commonwealth shall have the right of appeal to the appropriate appellate court in all prosecutions arising out of the violation of the provisions contained herein The fines collected hereunder except as otherwise provided by the Constitution shall be paid into the treasury of the county

Section 2192 Action to Abate Nuisance or Enjoin Unlicensed Plants At the instance of the county commissioners an action to enjoin any nuisance defined in section 2190 or to enjoin any person or municipality from constructing keeping maintaining or conducting a garbage disposal plant without a license as provided for herein may be brought in the name of the county by the district attorney of the county where such nuisance exists or where such person or municipality proposes to or has constructed or proposes to or is keeping maintaining or conducting a garbage disposal plant without a license Such action shall be brought and tried as an action in equity and may be brought in the court of common pleas of the county where such nuisance exists or where such person or municipality proposes to or has constructed or proposes to or is keeping maintaining or conducting such garbage disposal plant without a license If it is made to appear by affidavit or otherwise to the satisfac-

tion of the court that such a nuisance exists or that such person or municipality proposes to or had constructed or proposes to or is keeping maintaining or conducting a garbage disposal plant without a license a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance or from constructing or keeping maintaining or conducting such garbage disposal plant until the conclusion of the proceedings No bond shall be required in instituting such proceedings If after hearing the court shall find such nuisance to exist or that such person or municipality proposes to or has constructed or proposes to or is keeping maintaining or conducting a garbage disposal plant without a license it shall forthwith enter a final decree ordering such nuisance to be abated or enjoining such person or municipality from constructing or from keeping maintaining or conducting such garbage disposal plant without a license This section insofar as it applies to the practice and procedure in actions in equity is suspended insofar as it relates to venue by the Rules of Civil Procedure governing the Action in Equity

Section 2193 Garbage Disposal Plants and Garbage and Incinerating Furnaces Acquisition of Property The county may acquire by gift lease purchase or eminent domain real property within the county for the purpose of erecting thereon garbage disposal plants or facilities and sanitary land fills and shall have power to erect operate and maintain suitable buildings for garbage and incinerating furnaces In every case of taking private property by eminent domain the county shall acquire the entire title either in fee or otherwise held by the owner or owners of the property or of any interest therein

(m) Smoke Control

Section 2195 Power to Regulate The commissioners of the county shall have the power by resolution or ordinance to regulate the production or emission of smoke from any chimney smokestack or other source within the county Said regulations may include provisions for the payment of fees for examination of plans and issuing of permits for inspection of fuel-burning devises and issuing certificates of compliance with such regulations and providing for fines and penalties as hereinafter set forth for the violation of any such regulation The boards of commissioners shall have discretion to determine the effective date of any resolution or ordinances promulgated by them and in making such determination shall take into consideration the availability of fuel burning devices suitable for burning high volatile bituminous coal smokelessly

Section 2196 Enforcement Inspectors and Employes Equipment property and supplies The board of commissioners of the county may borrow appropriate and expend money for the purpose of effectuating the foregoing power and may appoint inspectors and other persons for the enforcement of any such regulation and may authorize the employment of clerks stenographers and different assistants and fix their compensation and authorize the acquisition of equipment property and supplies incidental to the carrying into effect of such regulations

Section 2197 Violation of Regulations Any person who shall violate any regulation so resolved upon or ordained the same not being inconsistent with any law of this Commonwealth or the Constitution thereof or with any law of the United States of America of the Constitution thereof shall be guilty of a misdemeanor and upon conviction thereof shall pay such fine not exceeding one hundred dollars ($100) as may be prescribed by such resolution or ordinance to be recovered before any alderman or justice of the peace of the county which fines shall be paid into the county treasury and in default of payment of such fine the defendant shall be imprisoned in the county jail for a period not exceeding thirty (30) days

Article XXII

Planning Zoning and Traffic

(a) County and Regional Planning Commissions

Section 2201 Creation and Powers of County Planning Commissions (a) In the county there shall be a county planning commission and also a department of county planning The department shall be under the supervision of the planning commission

(b) The county planning commission shall consist of nine persons who shall be residents of the county four of whom shall be residents of the city or cities therein and five of whom shall be residents of the boroughs and townships therein and who shall have knowledge and experience in respect to one or more of the following subjects finance commerce industry agriculture transportation architecture landscape architecture real estate building engineering social welfare civic administration and law and at least seven of whom shall not be paid county employes

(c) All of said persons shall be appointed by the county commissioners three of them shall be designated to serve until the first day of January of the second year following the year in which they are appointed three of them until the first day of January of the fourth year following the year in which they are appointed and three of them until the first day of January of the sixth year following the year in which they are appointed Provided however That the members of the county planning commission in office on the first day of September one thousand nine hundred thirty-seven shall remain in office until the end of their respective terms Their successors shall be appointed at the expiration of their respective terms to serve six years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term

(d) Three members shall constitute a quorum They may make and alter rules and regulations for their own organization and procedure consistent with the resolutions of the county commissioners and the rules of the Commonwealth

(e) They shall serve without compensation and shall make annually to the county commissioners a report of their transactions and recommendations They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

(f) The county planning commission may be given the additional power and duty of serving as the county zoning commission with all the powers and duties that have been or may be conferred upon such county zoning commission by other acts of Assembly

Section 2202 Submission of Resolution for Certain Improvements Reports All resolutions of the county commissioners relating to the location of any public buildings in the county and to the location extension widening enlargement ornamentation or parking of any street boulevard parkway bridge tunnel subway or underground road park playground or other public grounds to the vacation of any highway or portion thereof or to the making or alteration of the county plan of highways or to any surface underground or elevated railway shall be furnished to the County Planning Commission

The planning commission may make a report or suggestion in relation thereto if it deems the report necessary or advisable for the consideration of the said commissioners If the report is made by the commission prior to the expiration of the said twenty days the county commissioners may immediately proceed with the adoption of the said resolution All such reports when delivered to the said commissioners shall be for the information of the public as well as for the commissioners and the commissioners shall furnish to any newspaper of the county on request for publication a copy of any such report

Section 2203 Appearance in Proceedings The County Planning Commission may appear in any proceeding with reference to the opening or vacation of any public road or highway bridge tunnel subway or underground road as to which the commission has an interest under the provisions of this article and file a report stating its view with reference thereto and may produce testimony in connection therewith

Section 2204 Plans of Subdivisions Jurisdiction Scope of Subdivisions Regulations Procedure Penalties (a) The County Planning Commission shall have jurisdiction and control of the subdivision of land located within the county limits For the purpose of this section a subdivision shall be construed to be A division of any part parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels three or more in number for the purpose of conveyance transfer improvement or sale with appurtenant roads streets lanes alleys and ways dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon All plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within any city or borough within the said county shall be submitted to the County Planning Commission and approved by it before they shall be recorded

(b) It shall not be lawful to receive or record any such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission if one has been created The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated streets highways alleys or other portions of the same until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans maps and reports of the commission affecting such property with its jurisdiction

(c) Any owner or agent of the owner of any land located within a subdivision who sells transfers or agrees to sell any land by reference to or exhibition of or by other use of a plan of a subdivision before the same has been approved by the County Planning Commission shall upon summary conviction thereof before any alderman or justice of the peace of the county be sentenced to pay a fine of not less than fifty dollars ($50) or more than one hundred dollars ($100) and the cost of the prosecution or undergo an imprisonment for a term of not more than thirty (30) days for each lot or parcel transferred or sold or agreed to be sold and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided

(d) The county may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction in addition to the penalty herein provided

Section 2205 Maps of County The County Planning Commission may make or cause to be made and laid before the said county commissioners and in its discretion cause to be published a map or maps of the county and any portion or portions thereof including the territory extending three miles beyond the county limits showing the highways and other public improvements hereinbefore specified and other natural or artificial features and also locations proposed by it for any new highways or other of such improvements or any widening extension or relocation of the same or any change in the county plan by it deemed advisable

Section 2206 Recommendations to County Commissioners and Others It may make recommendations to the county commissioners from time to time concerning any such matters and things aforesaid for action of the county commissioners thereon and in so doing have regard for present condition and future needs and growth of the county and the distribution and relative location of all the principal streets and railways waterways and all other means of public travel and business communication as well as the distribution and relative location of public buildings public grounds and open spaces devoted to public use and the planning and laying out for dwelling and business purposes of private grounds brought into the market from time to time

The County Planning Commission may make recommendations to any public authorities or any corporations or individuals in such counties with reference to the location of any buildings structures or works to be erected or constructed by them

Section 2207 Cooperation Between Commission and Political Subdivisions The County Planning Commission shall encourage the cooperation of the political subdivisions within the county in any matters whatsoever which may concern the integrity of the county plan or maps prepared by the commission as an aid toward coordination of municipal plans with the county plans and it shall be the duty of every city borough and township within the county having prepared any maps or plans by a duly authorized planning commission to file a copy thereof and any subsequent amendments thereto with the County Planning Commission within thirty days from the completion of such plan or map

Section 2208 Local Authorities to Submit Plans to County Planning Commission Before the approval of a plat by any city borough or township authority having the power of approval of plats such authority shall transmit a copy of the propsed plat to the County Planning Commission and the commission shall make a report thereon to such local authority Pending the receipt and consideration of such report such local authority shall defer action thereon but if such report is not received by the local authority within twenty days from the submission of the plat to the County Planning Commission or within such further time as may be agreed upon by the local authorities such local authority may proceed to final action thereon

Section 2209 Creation of Regional Planning Commission (a) The councils or corresponding legislative bodies of any group of political subdivisions independently or together with the county commissioners of the county or counties in which such group of political subdivisions is located or of any adjoining county or counties or the council or corresponding legislative body of any political subdivision together with the county commissioners in which such political subdivision is located or the county commissioners of any two or more adjoining counties may cooperate in the creation of a regional planning commission for any region defined as may be agreed upon by said cooperating councils authorities and county commissioners or by said cooperating county commissioners

(b) The number and qualifications of the members of any such regional planning commission and their terms and method of appointment or removal shall be such as may be determined and agreed upon by said cooperating authorities and county commissioners A majority of the members of the regional planning commission shall hold no other public office or position excepting appointive membership on a municipal or other planning commission Members of the regional planning commission shall serve without salary but may be paid expenses incurred in the performance of duties

(c) The proportion of the expenses of the regional planning commission to be borne respectively by the political subdivisions and counties or by the counties cooperating in the establishment and maintenance of the commission shall be such as may be determined and agreed upon by the cooperating authorities and county commissioners and said authorities and county commissioners are hereby authorized to appropriate their respective shares of such expenses Within the amounts thus agreed upon and duly appropriated any such regional planning commission shall have the power to appoint such employes and staff as it may deem necessary for its work and contract with planners and other consultants for such services as it may require

(d) The regional planning commission shall elect its chairman who shall hold no other public office or position except that he may be a member of a municipal or other planning commission The term of the chairman shall be one year with eligibility for reelection The commission may create and fill such other offices as it may determine It shall adopt rules for the transaction of business and shall keep a record of its resolutions transactions findings and determinations which record shall be a public record

(e) The county commissioners or other county official or the chief executive officer or body of any political subdivision may from time to time upon the request of the commission and for the purpose of special surveys assign or detail to the commission any officer or employes of the county or political subdivision to make for the commission special surveys or studies requested by the commission

Section 2210 Regional Planning Commission to Make Master Plan It shall be the function and duty of the regional planning commission to make a master plan and such surveys and studies as may be essential thereto for the physical development of the region as created in accordance with the provisions of the preceding section Such master plan shall include all the elements of physical development that may be locally important and desirable

Section 2211 Delegated Powers of Regional Planning Commission The council or corresponding legislative bodies of any political subdivision and the county commissioners of any county so cooperating may delegate to the regional planning commission by ordinance or resolution any or all of the powers and duties of the planning commission of such political subdivision with respect to the territory of the political subdivision so enacting or resolving and in case of a county any and all of the powers and duties of a county planning commission for the territory of the county so resolving

(b) County Zoning

Section 2220 Grant of Power The board of county commissioners of the county is hereby empowered in accordance with the conditions and procedure specified in the subsequent sections of this subdivision by ordinance to regulate in any portion or portions of such county which lie outside of cities boroughs and townships of the first class the location height bulk and size of buildings and other structures the percentage of lot which may be occupied the size of yards courts and other open spaces the density and distribution of population the uses of buildings and structures for trade industry residence recreation public activities or other purposes and the uses of land for trade industry residence recreation agriculture water supply conservation soil conservation forestry or other purposes

Section 2221 Zoning Commission (a) In order to avail itself of the powers conferred by this subdivision the board of county commissioners shall appoint a permanent commission of three five or seven members which shall be known as the county zoning commission

Any individual whether in private or ex-officio capacity may be appointed to serve on such commission and the majority of the members thereof shall be individuals who do not hold elective public office The boards of county commissioners of two or more counties may arrange or provide for a joint or common commission and for the purposes of this subdivision any such joint or common zoning commission shall be deemed the zoning commission of each of such counties The board of county commissioners shall provide for reimbursement of the members of the zoning commission for actual expenses incurred and shall provide for the filling of vacancies in the membership of such commission and for the removal of a member for non-performance of duty or misconduct

(b) In the county where a county planning commission has been established the county commissioners may in lieu of establishing a zoning commission as provided in this section confer and impose on such planning commission the additional power and duty of serving as the county zoning commission with all the powers and duties conferred by this subdivision upon the county zoning commission

Section 2222 Assistance from State Agencies Personnel The zoning commission is directed to make use of the expert advice and information which may be furnished by appropriate State and Federal officials departments and agencies particularly the Pennsylvania State Planning Board All State officials departments and agencies having information maps and data pertinent to county zoning are hereby authorized and directed to make the same available for the use of the county zoning commission as well as to furnish such other technical assistance and advice as they may have available for such purpose The zoning commission may employ such trained personnel as the funds provided therefor may permit

Section 2223 Preparation of Zoning Plan (a) It shall be the duty of the zoning commission of the county to make for certification to the board of county commissioners a zoning plan or plans including both the full text of the zoning ordinance or ordinances and the maps and representing the recommendations of the commission for the regulation by districts or zones of the location height bulk and size of buildings and other structures percentage of lot which may be occupied the size of lots courts and other open spaces the density and distribution of population the location and use of buildings and structures for trade industry residence recreation public activities or other purposes and the use of land for trade industry recreation agriculture forestry soil conservation water supply conservation or other purposes

(b) When the efforts of such commission shall have reached the stage of a tentative plan the commission shall hold at least one public hearing on each tentative plan to be separately submitted notice of which hearings shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation in the County The notice shall contain the time and place of hearing and shall specify the place and times at which the tentative text and maps of the zoning ordinance may be examined For the purpose of its public hearing or hearings the commission shall have power to summon witnesses administer oaths and compel the giving of testimony

(c) Before finally adopting and certifying any zoning plan the zoning commission shall submit its tentative plan to the State Planning Board for advice and recommendations The approval of the State Planning Board shall be presumed unless the State Planning Board shall within forty-five days after such submission present its advices and criticisms in respect to such zoning plan

(d) In the event that after such public hearing or hearings and after such submission to the State Planning Board the zoning commission in the light of the developments at such hearing or hearings or the advices and recommendations of the State Planning Board makes changes in its said tentative plan there shall be no requirement of any hearing upon such changes or any submission of such changes to the State Planning Board

Section 2224 Zoning Ordinance From and after the time when a zoning commission of the county in accordance with the procedure herein specified makes adopts and certifies to the county commissioners each zoning plan including both the full text of a zoning ordinance and the maps then the county commissioners may by ordinance exercise the powers hereinbefore granted to it in this subdivision and for the purpose of such exercise the county commissioners may divide the territory of the county which lies outside of municipalities which now have and enforce zoning ordinance into districts or zones of such number shape or area as it may determine Within such districts or any of them they may regulate the erection construction reconstruction alteration and uses of buildings and structures and the uses of land and may require and provide for the issuance of building permits as a condition precedent to the right to erect construct reconstruct or alter any building or structure within any district covered by such zoning ordinance All such regulations shall be uniform for each class or kind of build-

ings throughout any district but the regulations in one district may differ from those in other districts

Section 2225 Method of Procedure After receiving the certification of a zone plan from the zoning commission and before the enactment of any zoning ordinance the county commissioners shall hold a public hearing thereon of the time and place of which at least thirty days' notice shall be given by one publication in a newspaper of general circulation in the county Such notice shall state the place at which the text and maps as certified by the zoning commission may be examined The board may conduct consultative hearings or referenda to aid it in determining the desirability of contemplated or recommended regulations No change in or departure from the text or maps as certified by the zoning commission shall be made unless such change or departure shall first be submitted to the zoning commission for its approval or disapproval or suggestions The zoning commission shall have thirty days from and after such submission within which to send its report to the county commissioners No approval disapproval or suggestions of the zoning commission shall have more than advisory effect or shall in anywise bind the county commissioners

Section 2226 Purposes of Zoning Regulations Such regulations shall be designated and enacted for the purpose of promoting the health safety morals convenience order prosperity or welfare of the present and future inhabitants of the Commonwealth of Pennsylvania including among other things the lessening of congestion in the streets or roads or reducing the waste of excessive amounts of roads securing safety from fire and other dangers providing adequate light and air preventing on the one hand excessive concentration of population and on the other hand excessive and wasteful scattering of population or settlement promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and conserve adequate provisions for transportation water flowage water supply drainage sanitation educational opportunities recreation soil fertility food supply protection of the tax base securing economy in governmental expenditures fostering the Commonwealth's agricultural and other industries and the protection of both urban and non-urban development

Section 2227 Amendments (a) The county commissioners may from time to time amend the number shape boundary or area of any district or districts or any regulation of or within such district or districts or any other provision of any zoning ordinance but no such amendment shall be made or become effective until the same shall have been proposed by or be first submitted for approval disapproval or suggestions to the zoning commission and the Pennsylvania State Planning Board

(b) Any proposal approval disapproval or suggestions of the zoning commission or the State Planning Board shall have advisory effect only and not be binding upon the county commissioners and unless such zoning commission or State Planning Board shall have transmitted its report upon the proposed amendment within thirty days after the submission thereof to it the county commissioners shall be free to proceed to the adoption of the amendment without further awaiting the receipt of the report of the zoning commission or State Planning Board Before finally adopting any such amendment the county commissioners shall hold a public hearing thereon at least thirty days' notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county

Section 2228 Cooperation Between Counties The zoning commission of any county may cooperate with the zoning commissions of other counties and with the planning zoning legislative and administrative authorities of cities boroughs towns or townships or other municipalities either within or without such county with a view to coordinating and integrating the zoning of the county with the planning and zoning of other counties or of municipalities The zoning commission shall also have power to appoint such committee or committees and adopt such rules for the conduct of its business as it may deem proper to effect such cooperation or to more expeditiously and effectively perform its functions

Section 2229 The Board of Adjustment (a) The county commissioners of the county which enacts zoning regulations under the authority of this subdivision shall provide for a board of adjustment of three to five members and for the manner of the appointment of such members Not more than half of the members of such board may at any time be members of the zoning commission The county commissioners shall fix per diem compensation and terms for the members of such board of adjustment which terms shall be of such length and so arranged that the term of at least one member will expire each year Any member of the board of adjustment may be removed for cause by the county commissioners upon written charges and after a public hearing Vacancies shall be filled for the unexpired term in the same manner as in the case of original appointments

(b) The county commissioners may appoint associate members of such board and in the event that any regular member be temporarily unable to act owing to absence from the county illness interest in a case before the board or any other cause his place may be taken during such temporary disability by an associate member designated for the purpose The boards of county commissioners of two or more counties may arrange and provide for a joint or common board of adjustment of four or five members which joint or common board of adjustment shall be deemed the board of adjustment of each of such counties

(c) If upon the hearing it shall appear to the court in its zoning or other ordinances general rules to govern the organization procedure and jurisdiction of said board of adjustment which rules shall not be inconsistent with the provisions of this subdivision and the board of adjustment may adopt supplemental rules of procedure not inconsistent with this subdivision or such general rules

(d) Any zoning ordinance of the county commissioners may provide that the board of adjustment may in appropriate cases and subject to appropriate principles standards rules conditions and safeguards set forth in the zoning ordinance make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent The commissioners may also authorize the board of adjustment to interpret the zoning maps and pass upon disputed questions of lot lines or similar questions as they may arise in the administration of the zoning regulations

(e) Meetings of the board of adjustment shall be held at the call of the chairman and at such other times as the board in its rules of procedure may specify The chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board of adjustment shall be open to the public The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official actions all of which shall be immediately filed in the office of the board and shall be a public record

Section 2230 Appeals to the Board of Adjustment (a) Appeals to the board of adjustment may be taken by any person aggrieved by his inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of the zoning ordinance Appeals to the board of adjustment may be taken by any officer department board or bureau of the county affected by the grant or refusal of a building permit or by other decision of an administration officer or agency based on or made in the course of the administration or enforcement of the provisions of the zoning ordinance The time within which such appeal must be made and the form or other procedure relating thereto shall be as specified in the general rules provided by the county commissioners to govern the procedure of such board of adjustment or in the supplemental rules of procedure adopted by such board

(b) Upon appeals the board of adjustment shall have the following powers

(1) To hear and decide appeals where it is alleged by the appellant that there is error in any order requirement decision or refusal made by an administrative official or agency based on or made in the enforcement of the zoning ordinance

(2) To hear and decide in accordance with the provisions of any such ordinance requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such ordinance to pass

(3) Where by reason of exceptional narrowness shallowness or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property the strict application of any regulation enacted under this subdivision would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property to authorize upon an appeal relating to said property a variance from such strict application so as to relieve such difficulties or hardship provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance

(c) The concurring vote of four members of the board in the case of a five-member board and of three members in the case of a three-member board shall be necessary to reverse any order requirement decision or determination of any such administrative official or agency or to decide in favor of the appellant

Section 2231 Court Review (a) Any persons jointly or severally aggrieved by any decision of the board of adjustment or any taxpayer or any officer department board or bureau of the county may present to the court of common pleas of the county in which the property concerning which such decision was made is located a petition duly verified setting forth that such decision is illegal in whole or in part specifying the grounds of the illegality Such a petition shall be presented to the court within thirty days after the filing of the decision in the office of the board Upon the presentation of such petition the court may allow a writ of certiorari directed to the board of adjustment to review such decision of the board of adjustment and shall prscribe therein the time within which a return thereto must be made and served upon the relator's attorney which shall not be less than ten days and may be extended by the court The allowance of the writ shall not stay proceedings upon the decision appealed from but the court may on application on notice to the board and on due cause shown grant a restraining order

(b) The board of adjustment shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified

(c) If upon the hearing it shall appear to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may reverse or affirm wholly or partly or may modify the decision brought up for review

(d) Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

(e) All issues in any proceeding under this section shall have preference over all other civil actions and proceedings

Section 2232 Violations Enforcement and Remedies (a) It shall be unlawful to erect construct reconstruct alter maintain or use any building or structure or to use any land in violation of any regulation in or of any provision of any zoning ordinance or any amendment thereof enacted or adopted by any board of county commissioners under the authority of this subdivision Any person firm or corporation violating any such regulation provision or amendment of any provision of this subdivision shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars ($100) or imprisoned not more than ten days or both Each and every day during which such illegal erection construction reconstruction alteration maintenance or use continues shall be deemed a separate offense

(b) In case any building or structure is or is proposed to be erected constructed reconstructed altered maintained or used or any land is or is proposed to be used in violation of this subdivision or of any regulation or provision of any ordinance or amendment thereof enacted or adopted by any board of county commissioners under the authority granted by this subdivision such board the district attorney of the county or any owner of real estate within the district in which such building structure or land is situated may in addition to other remedies provided by law institute injunction mandamus abatement or any other appropriate action or actions proceeding or proceedings to prevent enjoin abate or remove such unlawful erection construction reconstruction alteration maintenance or use

Section 2233 Nonconforming Uses (a) The lawful use of a building or structure or the lawful use of any land as existing and lawful at the time of the enactment of a zoning ordinance or in the case of an amendment of an ordinance then at the time of such amendment may except as hereinafter provided be continued although such use does not conform with the provisions of such ordinance or amendment Such use may be extended throughout the same building provided no structural alteration of such building is proposed or made for the purpose of such extension The county commissioners may provide in any zoning ordinance for the restoration reconstruction extension or substitution of nonconforming uses upon such terms and conditions as may be set forth in the zoning ordinance The county commissioners may in any zoning provide for the termination of nonconforming uses either by specifying the period or periods in which nonconforming uses shall be required to cease or by providing a formula or formulae whereby the compulsory termination of a nonconforming use may be so fixed as to allow for the recovery or amortization of the investment in the nonconformance

(b) If the county acquires title to any property by reason of tax delinquency and such property is not redeemed or sold as provided by law the future use of such property shall be in conformity with the then provisions of the zoning ordinance of the county or with any amendment of such ordinance equally applicable to the other like properties within the district in which the property acquired by the county is located

Section 2234 List of Nonconforming Uses Immediately after the adoption of any zoning ordinance or amendment by the county commissioners the county zoning commission shall prepare and publish complete list of all nonconforming uses and occupations existing at the time of the adoption of such ordinance or amendment Such list shall contain the names and addresses of the owner or owners of such nonconforming use and of any occupant other than the owner the legal description or descriptions of the land and the nature and extent of land use

After any necessary corrections have been made under a procedure prescribed by the county commissioners copies of such list shall when approved by such body be filed for record in the offices of the recorder of deeds and of the chief clerk in the county in which the lands are situated and shall be corrected yearly as the county commissioners may prescribe

Section 2235 Filing Upon the adoption of any zoning ordinance or regulation map or maps the county commissioners may file the originals with the chief clerk

and a certified copy of each of the office of the county recorder of deeds which copies shall be accessible to the public The recorder of deeds shall index such ordinances and regulations as nearly as possible in the same manner as he indexes instruments pertaining to the title of land

Section 2236 Finances The county commissioners are empowered to appropriate out of the general county fund such moneys otherwise unappropriated as it may deem fit to finance the work of the county zoning commission and of the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes and other purposes in accordance with this subdivision from either private or public sources State or Federal

Section 2237 Conflict With Other Laws Whenever any regulations made under authority of this subdivision require a greater width or size of yards courts or other open spaces or require a lower height of buildings or smaller number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in or under any other statute the provisions of the regulations made under authority of this subdivision shall govern Whenever the provisions of any other statute require a greater width or size of yards courts or other open spaces or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required by and regulations made under authority of this subdivision the provisions of such statute shall govern

Section 2238 Subdivision Not to Apply to Certain Buildings of Public Utility Corporations This subdivision shall not apply to any existing or proposed building or extension thereof used or to be used by public utility corporations if upon petition of the corporation the Pennsylvania Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 2239 Definitions The words "amend" "amendment" "amendments" or "amended" in this subdivision shall be deemed to include any modification of the text or phraseology of any provision of any zoning ordinance or amendment thereof or any repeal or elimination of any such provision or part thereof or any addition to the ordinance or to an amendment thereof and shall also be deemed to include any changing in the number shape boundary or area of any district or districts any repeal or abolition of any map forming part of or referred to in any zoning ordinance or any part of such map and in addition to such may any new map or maps or any other change in the maps or any map

(c) County Transit and Traffic Commission

Section 2250 Creation of County Transit and Traffic Commission There is hereby created a County Transit and Traffic Commission consisting of nine persons who shall be residents of the county not more than four of whom shall be residents of cities in the county nor shall more than two be regular employes of any publicly financed body Members shall be persons experienced in either engineering commerce finance law transportation or traffic matters and shall be appointed by the county commissioners The successors to the members in office when this act becomes effective shall be appointed at the expiration of their respective terms to serve six years and all appointments to fill vacancies shall be only for the unexpired portion of the term Five members shall constitute a quorum The Commission may make rules and regulations for their own organization and procedure consistent with the resolution of the county commissioners and the laws of the Commonwealth Members shall serve without compensation and may employ a technical staff and such other persons as may be necessary whose salaries and wages together with other necessary expenses of the Commission shall be provided for in the discretion of the county commissioners by proper appropriation and resolution

Section 2251 Duties of the County Transit and Traffic Commission (a) The duty of the Transit and Traffic Commission shall be to investigate transit traffic and parking conditions in the county including the volume and characteristics of the movement of public carriers such as street railways train bus and other motor vehicles throughout the county with a view of determining advisable means for obtaining adequate rapid and safe transportation to consider fully the coordination of existing transportation services to investigate and study safety measures for persons and vehicles on highways streets and thoroughfares in said county to advise with officials of political subdivisions in the county about the transit traffic and parking problems

(b) All minutes reports and recommendations made by the commission shall be a matter of public record Periodically but not less than once a year the commission shall file with the county commissioners a report of its investigations This report shall include the results of investigations made by the commission and any recommendations the commission may have to offer

(c) The county commissioners shall refer any plan proposal or resolution affecting public transportation and safety of the public on public transportation facilities and on highways bridges and tunnels in the county to the County Transit and Traffic Commission for its consideration and recommendation The Transit and Traffic Commission shall report to the county commissioners on the plan proposal or resolution within a reasonable period of time

Article XXIII

Public Health

(a) General Provisions

Section 2301 Health Work The county commissioners may provide and annually appropriate from any moneys in the county treasury not otherwise appropriated such sum or sums as they deem necessary for the protection of the health cleanliness convenience comfort and safety of the people of the county

(b) County and Joint County Hospitals

Section 2310 Contagious Disease Hospital or Building Wing or Unit Whenever in the opinion of the board of commissioners of the county or the boards of commissioners of two or more counties a hospital for the care and treatment of contagious diseases appears to be necessary or advisable the board of commissioners of the county or the boards of commissioners of two or more counties jointly may either erect construct and equip such a hospital on the grounds of the county institution district of any of the counties joining or may purchase a suitable site for such purpose in some other locality In lieu of erecting and constructing a separate contagious disease hospital the board of commissioners of a county or the boards of commissioners of two or more counties jointly may enter into an agreement with a general nonsectarian nonprofit hospital or hospitals within the county or within any of such counties or any adjoining county and may appropriate county moneys to such hospital or hospitals for the erection construction and equipment of a building or wing or unit for the care isolation and treatment of contagious disease cases In any such contagious disease hospital or building wing or unit provision shall be made for the care and treatment of indigent persons and of persons who are able to pay for their care and treatment in whole or in part

The county commissioners may in like manner join in establishing maintaining equipping and operating a contagious disease hospital with any municipality within the county

Section 2311 Plans and Specifications Approval Construction Plans and specifications for any county or joint county hospital or building wing or unit at a general hospital shall be prepared by the board or boards of commissioners or at their instance or by the general hospital with which an agreement has been made as

the case may be which plans and specifications must be submitted to the Secretary of Health of the Commonwealth The cost of the preparation of such plans shall be paid by the county or counties so joining Upon the approval of said plans and specifications by the Secretary of Health of the Commonwealth any county or joint county contagious disease hospital may be constructed and equipped in the same manner that any other county buildings are constructed and equipped and in the case of a building wing or unit at a general hospital the same shall be constructed and equipped by the authorities in charge of the general hospital as may be provided in the agreement with the county or counties joining But in either event the expense and cost of such erection construction and equipment and the cost of the site if any shall be paid by the board or boards of commissioners out of county funds

Section 2312 Expenses of Maintenance Care and Treatment All expense incident to the maintenance and operation of any such county or joint county contagious disease hospitals and of buildings wings and units at general hospitals shall be paid by the county or counties so joining as may be provided in any agreement out of county funds The county or counties so joining shall be liable for the cost of operating any such county or joint county contagious disease hospital and each county shall separately be liable to pay the cost of the care and treatment of its indigent patients and those unable to pay the entire cost of care and treatment in such contagious disease hospitals and in buildings wings and units at general hospitals and for such purposes any county or the counties so joining shall have power to appropriate county funds

Section 2313 Administration of County and Joint County Hospitals After any such county hospital is erected and equipped and ready for occupancy it shall be operated by and under the authority of the county commissioners of the county in the same manner that other county buildings and institutions are operated and in the case of joint county hospitals the operation shall be in the manner provided in the agreement between the counties All county or joint county contagious disease hospitals heretofore erected and constructed shall hereafter be maintained and operated in the manner provided by this act

Section 2314 County Agreement for Joint Contagious Disease Hospitals Buildings Wings and Units Whenever the county commissioners of two or more counties decide that a hospital or a building wing or unit at a general hospital for the care and treatment of contagious diseases is necessary they shall enter into an agreement for such purposes and therein provide how and in what proportions each county shall bear the expenses incident to the construction operation and maintenance of the joint hospital building wing or unit for contagious diseases

Section 2315 County Hospital for Tuberculosis Whenever one hundred or more citizens residents of a county petition the county commissioners for the establishment of a county hospital for the treatment of persons afflicted with tuberculosis the county commissioners shall at the next general or municipal election submit to the voters of the county the question whether or not the county shall establish such a hospital Such question shall be printed at the foot of the ballot and shall be in the form provided by the general laws for the submission of such question The vote on such question shall be counted returned and computed in the manner prescribed by the general election laws of the Commonwealth

Section 2316 Power to Acquire Site If a majority of the electors voting upon such question at such election shall vote in favor of the establishment of such a hospital the county commissioners shall acquire a site for such hospital either by purchase or condemnation in case such site shall be acquired by condemnation the procedure for the assessment of damages for the property taken shall be as prescribed by article XXVI of this act

Section 2317 Advisory Board If a majority of the electors voting upon such question at such election shall be in favor of the establishment of a hospital the court of common pleas of the county shall immediately appoint an advisory board of five members all of whom shall be electors of the county and one of whom shall be a licensed physician The members of said board shall be appointed one for a term of five years one for a term of four years one for a term of three years one for a term of two years and one for a term of one year or until their successors are appointed and have qualified All appointments at the expiration of any term shall be for a term of five years

The board shall meet monthly and at such other times as it may be deemed necessary The board shall visit and inspect and keep in close touch with the management and operation of said hospital and shall from time to time make such recommendations and suggestions to the county commissioners for changes or improvements in said management and operation as may be deemed advisable It shall also make an annual report to the county commissioners concerning the management and operation of said hospital

The county commissioners shall at the expense of the county provide a meeting place for said board and furnish all supplies and materials necessary to carry on its work

The members of the board shall not receive any compensation for their services but shall be allowed all actual and necessary expenses incurred in the discharge of their duties which shall be paid by the county

Section 2318 Site and Plan Approval If a majority of the electors voting upon such question at such election shall be in favor of the establishment of the hospital the county commissioners shall after consultation with the advisory board select a site for such hospital and shall have plans and specifications prepared for such hospital but no such hospital shall be erected until such plans and specifications and the site therefor have been first approved by the Secretary of Health and the county controller

Section 2319 Construction and Equipment Any such hospital shall be constructed by contract or contracts let by the county commissioners to the lowest responsible bidder as provided by this act and when so constructed the hospital shall be aquipped by the county commissioners at the cost of the county in the same manner as other county buildings are equipped

Section 2320 Employes' Salaries The county commissioners may after consultation with the advisory board employe a superintendent and such physicians nurses and other employes as may be necessary to properly conduct and manage such hospital The compensation of such employes shall be fixed by the salary board and such salaries shall be paid from the county treasury

Section 2321 Management The county commissioners shall have power after consulting with the advisory board to make general rules and regulations for the management of the hospital and shall have power to do all acts deemed necessary to promote the usefulness of the hospital in the prevention of tuberculosis

Section 2322 Use of Hospital Every hospital established under the provisions of this act shall be used for the benefit of all inhabitants afflicted with tuberculosis resident within the county in which the hospital is located and all such persons shall be entitled to occupancy nursing care treatment and maintenance according to the rules and regulations prescribed by the county commissioners The county commissioners may exclude from the use of the hospital any person who wilfully violates any rule or regulation adopted for the hospital by said county commissioners The county commissioners may charge and collect from persons admitted to the hospital or persons legally responsible for their maintenance reasonable compensation for the care treatment and maintenance of such persons but free treatment shall be given to all such persons who are after reasonable investigation found to be unable to pay

Section 2323 Patients From Other Counties Donations The county commissioners may admit patients to said hospital who are resident within any other county of

the Commonwealth provided such other county agrees to reimburse the county in which the hospital is located for all charges in connection with the admission maintenance care and treatment of such patients Authority is hereby conferred upon all counties in the State to pay to any other county in which such hospital is located reasonable charges for patients cared for by said hospital resident in the county paying such charges All money received from the care and maintenance of patients or from gifts or donations shall be paid into the county treasury and shall be used only for the maintenance of such hospitals County commissioners are authorized and empowered to receive contributions donations property and trust funds for the erection and maintenance of hospitals as provided in this act

Section 2324 Appropriations Tax Levy The advisory board herein provided for shall by December thirty-first of each year furnish to the county commissioners and the county controller a schedule of expenses deemed necessary for the maintenance and operation of the hospitals for the ensuing year and the county commissioners shall after considering the schedule submitted by the advisory board annually make appropriations deemed by them sufficient to properly manage and operate said hospital The county commissioners shall levy a special tax sufficient to produce the moneys appropriated to said hospital which tax shall be collected in the same manner as other county taxes and shall be paid into the county treasury All payments from the county treasury shall be made by warrant of the county commissioners countersigned by the county controller

Section 2325 Increase of Indebtedness The county commissioners of every county establishing a hospital as provided for in this act may incur or increase the indebtedness of the county in accordance with the Municipal Borrowing Law to an amount sufficient to pay the cost of acquiring a site and of erecting constructing and equipping the said hospital by issuing coupon bonds at a rate of interest not exceeding six per centum and payable within thirty years from the date of issue The county commissioners shall levy an annual tax in an amount necessary to pay interest and sinking fund charges upon such bonds

(c) County Health Aid to Institutions and Political Subdivisions

Section 2330 Appropriations to Hospitals Tuberculosis Sanitaria and Homes The commissioners may appropriate moneys for the support of any hospital located within or without the limits of such county which is engaged in charitable work and extends treatment and medical attention to residents of such county and may also appropriate moneys for the support of any home or place of detention of dependent delinquent and neglected children located within the county and may also appropriate moneys for the support of any sanitarium for the treatment of persons afflicted with tuberculosis located within the Commonwealth of Pennsylvania which sanitarium is engaged in charitable work and extends treatment and medical attention to residents of such county

Section 2331 Appropriation to Society Maintaining Tuberculosis Sanatorium for Indigent The commissioners may appropriate to any duly incorporated society chartered to maintain a sanatorium for the treatment therein of persons suffering from tuberculosis so much money as may be necessary for the maintenance of indigent persons residents of the county who may be inmates of such sanatorium and under treatment for tuberculosis The commissioners shall at all time have free access to such sanatorium for inspection of its management and for the ascertainment of the number of indigent persons receiving treatment therein

Section 2332 Aid to Boroughs and Townships for Sewage Purposes The board of county commissioners may appropriate moneys from the county treasury to aid cities of the third class boroughs incorporated towns or townships in the construction or maintenance of sewers or sewage treatment works where such sewers and treatment works have been first approved by the Sanitary Water Board of the State Department of Health in the manner provided by law

Section 2333 Aid to Townships for Water Systems The county commissioners may appropriate moneys from the county treasury to aid townships to construct or complete water systems where such water systems have been first approved by the State Department of Health

(d) Joint Management of County and City Hospitals

Section 2350 Joint Management of Hospitals with Cities In the county where the county seat is within the limits of any city the county commissioners and the proper corporate authorities of such city shall have the power and they are hereby authorized to agree upon the administration management maintenance control and operation of any or all city hospitals and institutions and of any or all county hospitals and institutions within the county under one board of managers and to share the expenses thereof in such manner and proportions as shall be agreed upon

Section 2351 Board of Managers Appointment and Terms The board of managers shall consist of seven members Three members one of whom shall be a member of the board of county commissioners shall be appointed by the county commissioners Two members shall be appointed by the mayor of such city One member who shall be a member of city council shall be appointed by the council of such city One member shall be appointed by the county commissioners and mayor jointly In acting on the appointment of such last member the three county commissioners together shall have one vote and the mayor shall have one vote

The members of the board shall be appointed for terms of four years and shall serve without compensation

The board shall organize each year by electing one of its members chairman and another member secretary of the board

Section 2352 Employes Appointment Salaries (a) The board of managers shall employ a superintendent for each hospital and institution under its control and such medical surgical nursing and other staffs and such other employes as they deem necessary for the proper conduct of the activities of the respective hospital or institution

(b) All persons appointed by the board shall be qualified according to standards not inconsistent with law adopted by the board and pursuant to such oral or written examinations as the board shall prescribe In so far as possible vacancies shall be filled by promotions from among the then employes of the board

(c) The salaries or other compensation of all appointees of the board shall be fixed by the board subject to the approval and ratification by the salary board of the county and the proper corporate authorities of the city and shall be paid by the county and city in such proportions as shall be agreed upon by the county commissioners and such corporate authorities

Section 2353 Rules and Regulations The board of managers shall subject to the approval of the county commissioners of the county and the proper corporate authorities of the city make such by-laws rules and regulations for the management of the several hospitals and institutions as it may deem advisable

Section 2354 Civil Service Act Not to Apply The right of appointment by the board of managers of a superintendent for each hospital and institution surgical nursing and other staffs and other employes shall not be limited or restricted in any manner by the requirements of the present civil service act applicable to any city nor shall any such act apply to any person so appointed

Section 2355 Hospitalization of Persons with Infectious Diseases The county commissioners of the county are hereby authorized to enter into contracts with the proper authorities of any city within the county for the hospitalization of persons suffering from any infectious disease and to make appropriations for such purposes

Article XXIV

Aeronautics

Section 2401 Authority to Establish Airports Subject to the provisions of The Aeronautical Code the county shall have the right and authority to establish construct and provide for air navigation facilities in accordance with the provisions of this article

Section 2402 County May Hold or Acquire Lands for Air Navigation and Terminal Facilities (a) The county may use for the purpose of any air navigation and terminal facilities any land within the county and owned by the county commissioners determine such land necessary for such purposes

(b) The county may appropriate for the purpose of any air navigation and terminal facilities any lands purchased by it at any tax sale and not redeemed within the period of redemption if any provided by law

(c) The county may acquire by gift lease purchase or condemnation proceedings any land lying within its territorial limits or the territorial limits of any adjoining county which in the judgment of the county commissioners may be necessary and desirable for the purpose of establishing and maintaining air navigation and terminal facilities or of enlarging them but no such land shall be so acquired in any adjoining county without the assent of the county commissioners thereof

Section 2403 Condemnation Proceedings Title The proceedings for the condemnation of lands under the provisions of this article and for the assessment of damages for property taken injured or destroyed shall be conducted in the same manner as provided under Article XXVI

The title acquired by virtue of any such condemnation shall be a title in fee simple

Section 2404 Agreements for Air Navigation and Terminal Facilities The county acquiring land for any air navigation and terminal facilities may enter into agreements in the form of a lease permit license concession or otherwise for the use of the same or part thereof for an adequate consideration with any person or corporation desiring to use the same for any air navigation and terminal purpose or of any air navigation and terminal facility on such terms and subject to such conditions and regulations as may be provided The county may enter into a contract in the form of a lease or otherwise providing for the use of said land or any part thereof by the government of the United States for air-mail delivery or other air navigation and terminal purposes upon nominal rental or without consideration

Section 2405 Joint Operation Leasing The county acquiring land for any air navigation and terminal facilities may operate and maintain such facilities jointly with any city county borough township or other political subdivision upon such terms and conditions as may be agreed upon by the corporate officials thereof and the county commissioners of the county and such joint facilities may be operated as hereinbefore provided upon the joint action of the corporate officials involved and the county commissioners

Section 2406 Engineering and Construction Appropriations The county acquiring any land for any air navigation and terminal facilities may by resolution of the board of commissioners appropriate such funds as are necessary for the engineering design surveys and construction of such facilities either wholly by themselves or in cooperation with State Federal or other public agencies supplying a portion of the necessary funds for said work

Section 2407 Contracts for Construction and Repairs In establishing maintaining and operating air navigation and terminal facilities where construction and repair of roadways runways buildings and facilities or the purchase thereof are deemed necessary within or for use within the limits of land acquired for such purpose there shall be no necessity for submission thereof to the court of quarter sessions of the county but contracts therefor shall be entered into as provided in article XX herein and in the case of joint establishment operation and maintenance with any other political subdivision contracts relating thereto shall be entered into as provided for the general business of any of such participating political subdivisions

Section 2408 Validation of Contracts Any contracts heretofore entered into for construction and repair of roadways runways buildings and facilities or the purchase thereof within or for use within the limits of land acquired for the establishment and operation of airdromes or landing fields without first having obtained the approval of the court of quarter sessions of the county and entered into as provided for the general business of the county or other political subdivisions jointly interested are hereby ratified confirmed approved and declared lawful contracts

Article XXV

Grounds Property and Buildings

(a) General Provisions

Section 2501 Title to Real Estate Vested in County The title to all courthouses jails prisons and workhouses together with the lots of land thereunto belonging or appertaining and all other real property acquired or that may hereafter be acquired by or for the use of the county shall be vested in the county for the use of the people thereof and for no other use except as hereinafter provided

Section 2502 Insuring Buildings and Contents The county commissioners may provide insurance against fire and extended coverage against public liability and such other forms of insurance including insurance against burglary as shall seem proper to them for county buildings and the contents real and personal thereof The cost of such insurance shall be paid from the general funds of the county

Section 2503 Credit of County Available for Grounds and Buildings In the acquisition construction or alteration as the case may be of land and buildings for county purposes the commissioners may issue bonds of the county in accordance with the Municipal Borrowing Law to meet the costs thereof except as any other system of financing shall be expressly provided by law

(b) Acquisition Use Leasing and Disposing of Property for County

Section 2505 Acquiring and Using Real Property Court Approval Exceptions (a) The county commissioners may purchase take by gift devise or by the power of eminent domain in accordance with the provisions of this act such real property at the county seat or in such other places as may be authorized by law as they deem necessary for the purposes of a county courthouse county jail prison workhouse detention house or other county building either in acquisition of a building suitable for such purposes or in the construction of a new building or in the alteration including enlargement of an existing county building Any purchase herein authorized shall be subject to the approval of the court of common pleas of the county as to purchase price and no such contract shall bind the county nor shall any conveyance be valid until the court has so approved the purchase price

(b) The county commissioners may also use any real property at the county seat or elsewhere as authorized by law owned by the county and deemed suitable by them for the purposes aforesaid except such property as is bound by contract to another public use

(c) The county commissioners may provide for the grading filling draining gardening and otherwise improving and maintaining of all lands for county buildings either by contract or by county employes as they deem proper

(d) To the extent that any of the matters provided for herein are otherwise specifically provided for by law with regard to any particular acquisitions of real property by counties either by tax sales or by other purchases this section shall not apply to such matters

Section 2506 Authority to Sell or Lease Real Property

(a) The board of commissioners may sell or lease either as lessor or lessee any real property belonging to the county or to others where the county is lessee Any sale herein authorized shall be by petition to the court of common pleas setting forth a description of the property to be sold and the reason therefor the court shall thereupon fix a day for hearing and notice of which shall be given in at least two newspapers in the county of general circulation once a week for three consecutive weeks After hearing the court shall make such order and decree as shall seem right and proper

(b) In the case of any lease of real property by the county hereunder such property with any and all improvements or additions thereon or thereto shall in the hands of the lessee be subject to taxation by such county and any other municipal or political subdivision therein in the same manner as all other real estate located in such county all of which taxes shall be levied and assessed against and paid by the lessee

(c) This section shall not apply to leases or sales of county property or other property which are otherwise specifically provided for by law

Section 2507 Conveyance and Lease of Real Estate The commissioners shall make and acknowledge a deed or lease of any real estate belonging to the county which they are authorized to sell or lease under their hands and seals as commissioners with the seal of the county attached and the same shall be a good and lawful conveyance in fee simple or lease

Section 2508 Conveyances to General State Authority The county may grant assign and convey to the General State Authority with or without consideration any lands easements or rights in lands together with any improvements buildings or structures therein or thereon now owned by such county or hereafter acquired by it needed or convenient as a site for a county courthouse or may lease to the Authority for a term not exceeding ninety-nine years at a nominal or such other rental as may be determined any or all such lands easements or rights in lands together with any improvements structures or buildings therein or thereon

Section 2509 Leasing from General State Authority The county may enter into contracts with the General State Authority to lease as lessee from the Authority any county courthouse or any improvement thereto and the furnishings and equipment thereof constructed by the Authority for a term not exceeding thirty years at such rental or rentals as may be determined by the Authority Upon the completion of such county courthouse or improvements and the furnishings and equipment thereof the county may lease the same as lessee from the Authority for a term not exceeding thirty years at such rental or rentals as may be determined by the Authority

Section 2510 Acquisition of Lands for Conveyance to General State Authority The county may acquire lands or interests in lands by purchase gift or condemnation which may be required to carry out the purposes of the two sections immediately preceding

Section 2511 Sale of Personal Property Demolition and Removal of County Buildings (a) The county commissioners may sell at private sale any county owned personal property valued by the controller at not more than five hundred dollars ($500) or at public sale under conditions prescribed by the commissioners any county owned personal property valued by the controller in excess of that amount

(b) Whenever any county owned building valued by the controller at not more than one thousand dollars ($1000) is deemed by the county commissioners to be no longer suitable for use by the county they may cause it to be demolished or removed from its location by such means or in such manner as they deem to be in the public interest Any such county owned building valued by the controller in excess of that amount may be so demolished or removed with the approval of the court of quarter sessions of the county

(c) Construction or Alteration of County Buildings

Section 2515 Authority for Constructing County Building Whenever the board of commissioners are authorized and required to erect a courthouse jail or other county building they shall submit the plans and specifications adopted by them to the court of common pleas for its approval Upon approval the county commissioners shall let the work by contract to the lowest responsible bidder in accordance with the provisions of this act

Section 2516 Right to Build on Public Squares Whenever the courthouse jail or other building of the county is located upon a public square or common in the city borough or township then being the county seat and a new building is authorized and required to be erected in place of such courthouse jail or other building the board of county commissioners may erect such new building upon any other of the public squares or commons of said city borough or township or upon any part thereof if the council of the city borough or township shall have first consented to such new location for said building

Section 2517 Separate Specifications and Contracts for Certain Items In the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars ($1000) the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work The board of commissioners shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

Section 2518 Additional Bond to Protect Labor and Materialmen on Contracts (a) It shall be the duty of the county to require any person copartnership association or corporation entering into contract with such county for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred dollars ($500) before commencing work under such contract to execute and deliver to such county in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in the sum not less than fifty per centum and not more than one hundred per centum of the contract price as such county may prescribe Such bond shall have as surety thereon one or more surety companies legally authorized to do business in this Commonwealth and shall be conditioned for the prompt payment for all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated

(b) Such additional bond shall be deposited with and held by the county for the use of any party interested therein

(c) Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the county for his their or its use and prosecute the same to final judgment for such sum or sums as may be jusly due him them or it and have execution thereon but the county shall not be liable for the payment of any costs or expense of any suit

(d) Any contract executed in violation of the provisions of this section shall be null and void

Section 2519 Compliance with Workmen's Compensation Law (a) All contracts executed by the board of commissioners which shall involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept in so far as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act and any reenactments supplements or amendments thereto and that the said contractor will insure his liability thereunder or file with the board of commissioners

a certificate of exemption from insurance from the Department of Labor and Industry of the Commonwealth

(b) The board of commissioners before signing on behalf of the county any contract requiring in its performance the employment of labor shall require proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act and any reenactments supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the contractor has had issued to him a certificate of exemption from insurance from the Department of Labor and Industry

(c) Any contract executed in violation of the provisions of this section shall be null and void

Section 2520 Restrictions on Letting Contracts to Architects and Engineers It shall be unlawful for any architect or engineer in the employ of the county and engaged in the preparation of plans specifications or estimates or for any officer or employe of the county directly or indirectly to bid on any public work at any letting of such work by such county It shall also be unlawful for the officers of the county charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the county

It shall not be lawful for any architect or engineer in the employ of the county to be in anywise interested in any contract for public work nor receive any remuneration or guaranty from any person interested in such contract

Any person or persons violating these provisions or either of them shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment of not less than six (6) months or both in the discretion of the court

(d) Policing Administration and Public Order of Grounds and Buildings

Section 2525 Buildings and Grounds to be Kept in Order and Repair The commissioners shall keep and maintain the public buildings of the county in suitable and convenient order and repair and shall keep the grounds about county buildings in proper condition and appearance

Section 2526 Watchman and Employes The commissioners may appoint one or more officers or watchmen to guard and protect the county buildings and to enforce the provisions of this act and other laws relating thereto Such officers or watchmen shall have power to arrest on view any person violating the same

The commissioners shall employ all janitors firemen engineers mechanics laborers and caretakers of all county buildings and grounds

Section 2527 Display of Municipal Flags on County Buildings Authorized It shall be lawful to display the flag of any county city borough or other municipality in the Commonwealth on the public buildings of any county

Section 2528 Buildings and Improvements of Workhouses and Inebriate Asylums The county commissioners are hereby authorized and directed for the purpose of enabling any corporation and body politic having the control and management of a workhouse and inebriate asylum as established under existing law to acquire lands or buildings or to erect buildings or construct or make any improvements that may de deemed necessary by such corporation to issue bonds and to sell and dispose of the same in the manner provided by law and pay over the proceeds thereof to the said corporation for any of the purposes aforesaid

Section 2529 Disorderly Conduct in and About Courthouses and Jails Prohibited It is unlawful for any person to cause any outcry or disorder or be guilty of any indecent or unbecoming conduct tending to disturb the peace and good order in the county courthouse jail or other county buildings or to wilfully or carelessly defile deface or injure the floors walls or any other portion of said buildings or fences or railings surrounding the same or the carpets furniture or other articles or things used in or about said buildings belonging to the county Any person violating any of the provisions of this section shall make restitution for damages arising therefrom and shall upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars ($50) In case such person shall neglect or refuse to pay the same he or she shall suffer an imprisonment not exceeding thirty (30) days

(e) Special Provisions for Temporary County Buildings and for Rooms in County Buildings

Section 2535 Temporary Courthouse Whenever the courthouse or place appointed by law for holding any of the courts shall be unsafe shall have been destroyed or is under repairs the board of commissioners shall procure some other convenient place at the county seat to be approved by the court for temporary use for holding and administering such courts

Section 2536 Separate Rooms for Women Jurors The commissioners shall provide and maintain a separate room or rooms at or adjoining the courthouse upon order of the court for the comfort accommodation and convenience of women jurors and such rooms shall be provided with suitable furniture for the use of women jurors who may be serving upon juries unable to bring in verdicts upon the day in which the case was placed in their hands These rooms shall also be equipped with mirrors toilets beds and other conveniences necessary to provide for the safety comfort and convenience of the occupants thereof

Section 2537 Room or Building for Juvenile Offenders Waiting Trial The commissioners shall provide furnish and heat within the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county and provide for the maintenance and care of such children while in custody

Section 2538 Management of Houses for Detention of Juveniles Appointment of Board Ex Officio Members The management of houses for the detention and reception of juveniles under the age of sixteen years awaiting trial hearing or judicial investigation heretofore or hereafter established under existing law to which this is a supplement or its amendment or under the provision of any other law of the Commonwealth shall be in a board of managers consisting of six citizens of the county at least two of whom shall be women appointed by the judges of the court of common pleas of the county The members of the board or boards of managers existing in the county shall remain as members of the board or boards of managers created herein until the expiration of the terms to which they were respectively appointed Annually thereafter they or their successors shall be appointed for a term of three years Vacancies occurring in the membership of the board shall be filled by the judges of the court of common pleas for the unexpired term The members of the board shall serve without compensation The county commissioners and the controller shall be members ex officio of the board of managers with the same rights powers and privileges given to and possessed by the six members of the board appointed by the court

Section 2539 Appointment and Compensation of Employes The board of managers may appoint a superintendent and such additional staff members as may be necessary whose salaries shall be paid by the county The number and compensation of such employes shall be fixed by the salary board of the county

Section 2540 Annual Report Expenses The board of managers shall annually report to the county commissioners on or before the first day of November the amount of money required for the maintenance of such house or houses of detention The county commissioners shall make an annual appropriation to the board of managers for the payment of the expenses of administering such house or houses of detention Expenses incurred in the performance of duties by the board of managers shall be itemized and presented with vouchers to the county

commissioners for payment and a semi-annual report thereof shall be made to the county commissioners All expenses in connection with the management and administration of any such house of detention shall be paid by the county in the manner provided by law for the payment of county obligations

Section 2541 Appropriation and Bond Issues The county commissioners shall have power and authority for the purpose of housing such children to appropriate money from the public funds or to issue bonds in the manner provided by law for the purchase of lands or erecting constructing and equipping a building or buildings thereon

Section 2542 Rooms for Justice and Judges The county commissioners shall furnish an office for each of the judges of the Supreme Court the judges of the Superior Court of the court of common pleas and orphans' courts and the County Court of Allegheny County in the courthouse at the county seat of the county in which such justices or judges respectively may be resident and wherein the business of the courts may be largely transacted In case no such office is available in the courthouse they shall at the proper cost of the county furnish an office in such building as may be selected by the respective justices or judges and county commissioners

The county shall likewise furnish and pay for such janitor service stationery telephone telegraph clerical and other services as shall be deemed necessary by such public officers for the discharge of the duties of their offices The compensation for any clerical services shall not exceed that ordinarily paid to an official court stenographer of the county as shall be determined by the salary board or by order of court under existing laws

Section 2543 Furnishing Rooms for Meetings of Certain Veterans and of Sons of Veterans The commissioners may in their discretion upon application therefor furnish to each organization compsed of veterans of the Spanish-American War veterans of World War I and of World War II or of any other war in which the United States engaged and Sons of Union Veterans a room or rooms in any public building of such county sufficient for the meeting of each of such organization at least once each month

(f) Improvement of Streets Along County Buildings Street Lighting

Section 2545 Joining With City in Improving Certain Streets and Highways (a) The board of commissioners of the county may erect public buildings in any city with the approval of the court of common pleas The county may join with the proper authorities of such city in the grading regrading paving re-paving and improvement of so much of the streets and highways as are in upon or alongside of the grounds upon which said public buildings stand

(b) The commissioners may enter into contract with any such city authorities for the payment of a just proportion of the expense of said grading re-grading paving re-paving and improvement of said streets and highways and may appropriate from the county treasury sufficient funds for this purpose They may act with any committee or committees which may be appointed by such city authorities to establish grades determine the kind and quality of paving materials to be used and ratify the contracts entered into by said city authorities in the course of said improvements

(c) No obligation shall rest upon the county for any proportion of the expenses of such improvements until the selection of grades and paving materials and the acceptance of bids by said city authorities shall have been ratified by the board of commissioners and approved by the court of common pleas

Section 2546 Ornamental Illumination (a) Whenever the courthouse jail workhouse or other public building of the county abuts upon the street of a city or borough which is the county seat and which shall provide for the ornamental illumination of that section of the street whereon the county building abuts the county commissioners of the county may appropriate moneys from the county funds towards the installation of such ornamental illumination

(b) The appropriation by the county commissioners of the county for such purpose shall not exceed the amount that shall be assessed for such ornamental illumination upon owners of an equivalent frontage of property abutting upon said street measured by the foot front rule

(g) Comfort Stations Parks and Comfort Houses

Section 2550 Parks and Comfort Houses (a) The commissioners may purchase land to be used for park purposes or for the erection thereof of public comfort houses The land purchased for such purposes shall lie within the limits of such county and shall be contiguous to or in the vicinity of a county road and shall be outside the corporate limits of any city or borough The amount that may be expended for such purposes shall not exceed the sum of twenty-five thousand dollars ($25,000) in any one year nor the sum of five thousand dollars ($5,000) for any single park or any single comfort house The board of commissioners shall agree with the owner or owners of the land selected upon a reasonable price to be paid therefor The county may erect and maintain on the land such buildings as are necessary to fulfill the purpose for which the land was acquired

(b) The commissioners may adopt reasonable rules and regulations necessary for preservation management and control of parks and public comfort houses so established and maintained and provide penalties for the breach thereof All rules adopted by the board of commissioners shall before becoming operative be published once a week for three consecutive weeks in three newspapers of general circulation in the county and shall be recorded in the office of the recorder of deeds in the county

(c) Any person violating any rules so adopted shall upon summary conviction be sentenced to pay a fine of not less than five dollars ($5) nor more than twenty-five dollars ($25) which shall be payable to the county treasurer who shall add the fine to the fund for the improvement of county roads

(h) Monuments and Memorials

Section 2555 Monuments and Memorials to War Veterans The commissioners may appropriate money for and provide for the erection of monuments or memorials commemorating the services of any person who has served in the armed forces of the United States or in any women's organization officially connected therewith during any part of any war in which the United States has been or may hereafter be engaged The style and character of such monuments or memorials shall be approved by the State Art Commission

Section 2556 Assistance to Private or Municipal Agencies The commissioners may in order to prevent duplication appropriate money to assist any individual private corporation city borough or township in the erection of any monument or memorial for said soldiers sailors and marines Before any such appropriation is made the style and character of such monument or memorial shall be approved by the State Art Commission

Section 2557 Erection or Completion of Monuments and Memorials on Petition to Court Upon the petition of at least fifty citizens of the county to the court of quarter sessions for the erection or completion and maintenance of a memorial monument or memorial hall in honor of the soldiers sailors or marines of the county who served in any war in which the United States has been or may hereafter be engaged the court shall lay the same before the grand jury and if approved by two successive grand juries and the court the board of commissioners may erect or complete any monument now partly erected but not completed and maintain at the county seat a suitable monument or memorial in honor of said soldiers sailors and marines

Section 2558 Election on Memorial Hall Purchase or Condemnation of Site (a) When the petition provided for in the preceding section has been approved by the court of quarter sessions the board of commissioners shall sub-

mit the question of the erection of a memorial hall to the electors of the county at the next election and if a majority of the votes cast on the question of the erection of a memorial hall shall be in favor of the same the board of commissioners shall erect at the county seat a memorial hall and acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and erect and maintain thereon a suitable and proper memorial hall or building in memory of the soldiers sailors and marines of any such wars

(b) In case said election shall result adversely and a second petition shall be presented the same shall be laid before two successive grand juries and if approved then it shall be the duty of the county commissioners to again in like manner submit the question to vote at the next general or municipal election and if the result shall be favorable then it shall be the duty of the county commissioners to erect such hall at such place in the county as shall have been designated upon the ballot in the question submitted to the electors

(c) All proceedings for the condemnation of any property under the provisions of this section shall be in accordance with article XXVI of this act

Section 2559 Existing Building May be Used If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall the board of commissioners may acquire such site in manner aforesaid for the purpose of a memorial hall

Section 2560 Donations For the purpose of aiding in paying the purchase money and price for the site and erection and construction of such memorial hall voluntary donations and contributions may be accepted by the board of commissioners from individuals associations and organizations

Section 2561 Maintenance of Hall Such memorial hall shall be and remain the property of and shall be maintained at the expense of the county

Section 2562 Plan of Hall Special Rooms to be Provided (a) The memorial hall shall be in honor of the soldiers sailors and marines from the county who served in the Army and Navy of the United States in any war in which the United States has been or may hereafter be engaged Such memorial halls shall each contain one large assembly room or auditorium for public meetings of the soldiers sailors and marines of such county which may be used also for other public meetings and patriotic gatherings by the consent of the board of control herein provided for

(b) Such memorial hall shall also contain rooms for meetings of posts of the Grand Army of the Republic encampments of the Union Veteran Legion commanderies of the Loyal Legion camps of the Sons of Veterans Women's Relief Corps Ladies of the Grand Army of the Republic chapters of the Daughters of the Revolution organization of the Spanish-American War and Philippine insurrection the American Legion Veterans of Foreign Wars and organizations of veterans of all other wars in which the United States has or may be engaged and also rooms for such committees of public defense and welfare as may be created by the State or as may be approved by the board of control hereinafter provided for

(c) Such memorial halls shall also provide room for the display and preservation of relics and trophies of all wars in which the United States has been or may be engaged photographs paintings and portraits busts and statues of the soldiers sailors and marines of the county and mural tablets upon which shall be inscribed the names of such soldiers sailors and marines Such memorial halls shall also contain waiting and rest rooms with lavatories attached

Section 2563 Historical Society Room to be Made Fireproof The room for the county historical society shall be made as nearly fireproof as possible and be provided with the proper files and furnishing for preservation and storing of all historical data of the said county with reference to any and all subjects

Section 2564 Board of Managers When heretofore there has been erected in the county a hall as a memorial to the soldiers of any war or wars which the United States of America was engaged and such hall has been and is maintained by said county under authority of existing laws such hall shall hereafter be under the control and management of a board of managers The personnel of such board the method of selection of the members thereof and the extent of its authority shall be as hereinafter provided

Section 2565 Personnel The board of managers shall consist of

(a) Ex officio members (five) the president judge of the court of common pleas of such county the judge of said court next oldest in commission the county commissioners of the county

(b) Elective members (twelve) the present elective members representing the Veterans of the Civil War shall be and continue as members of such board until removed by death resignation or otherwise The remaining members of the elective twelve shall be filled by the following organizations out of their membership (three) by the county organization of the Unted Spanish War Veterans (three) by the county organization of the American Legion (three) by the county organization of the Veterans of Foreign Wars within thirty days from the date when this act becomes effective and they shall certify such election to the secretary of the existing board whereupon the persons so elected shall be members of the board

Section 2566 Vacancies Vacancies occurring among the elective members of the board shall be filled by the organization which chose the members whose place it is desired to fill Provided however That whenever it may appear that it is impossible to fill any vacancy in the board caused by the death or resignation of a member thereof who represented the Veterans of the Civil War because no organization survives to chose such members or no person survives who can qualify for such membership vacancies so created and existing shall upon notice from the secretary be filled by the county organizations of the United Spanish War Veterans and the American Legion and the Veterans of Foreign Wars That is to say the first vacancy so caused shall be filled by the county organization of the United Spanish War Veterans the second by the county organization of the American Legion and the third by the county organization of the Veterans of Foreign Wars and so on in rotation That is to say that when no member representing the Veterans of the Civil War shall remain on said board the elective personnel of the board shall be as follows Elective members (twelve) United Spanish War Veterans (four) American Legion (four Veterans of Foreign Wars (four)

Section 2567 Organization Powers and Duties of Board The organization of the board and its powers and duties and the powers and the duties of the county commissioners and the various courts of the county with respect to such memorial hall and the provisions for the maintenance and repair of such hall shall be and continue as provided under existing laws

Section 2568 Purpose of Hall Said memorial hall shall be in memory of the soldiers sailors and marines from such county who served in the Civil War It shall also contain one large assembly hall or auditorium for public meetings of the soldiers sailors and marines of such county but which may be used for civic purposes or other public meetings It shall also contain rooms for meetings of the posts of the Grand Army of the Republic encampments of the Union Veterans Legion commanderies of the Loyal Legion posts of United Spanish War Veterans posts of the American Legion posts of the Veterans of Foreign Wars and kindred patriotic organizations It shall also contain rooms and places for the proper display and preservation of relics and trophies of all such wars insurrection and expeditions flags histories rosters and records of all such patriotic organizations regimental and company histories photographs paintings and portraits busts and statues of soldiers sailors and marines of such county and mural tablets upon which may be inscribed the names of the soldiers sailors and marines of

such county who served in any such wars insurrections and expeditions

Section 2569 Flagstaff to be Erected Display of Flag A suitable flagstaff shall be erected upon said memorial hall from which shall be displayed the flag of the United States from sunrise to sunset on each and every day of the year

Section 2570 Purchase or Condemnation of Additional Land Equipment Furnishing and Decorating In any county in which there has been or may hereafter be erected a memorial hall in honor of the soldiers sailors or marines from such county who served in any war in which the United States has been or may be hereafter engaged upon petition of at least fifty (50) citizens to the court of quarter sessions setting forth that it is necessary or desirable to acquire additional land adjoining that upon which said memorial hall is erected to enhance and preserve the beauty and character of said memorial hall and the object had in its erection or that it is necessary or desirable to equip furnish and decorate said memorial hall or both the court shall lay said petition before the grand jury then or next sitting for their approval If said petition shall be approved by said grand jury it shall be certified back to the court If no exceptions thereto are filed within ten (10) days from the date upon which said petition was certified back to the court or if exceptions are filed and are dismissed the court shall confirm said petition absolutely and thereupon the court may make an order authorizing the board of commissioners to acquire by purchase or condemnation such additional land or to equip furnish and decorate said memorial hall or both The cost to said county of acquiring such additional land shall not exceed a sum equal to one-fourth (¼) of the total cost of said memorial hall and the land upon which said memorial hall has been erected and the cost to said county of equipping furnishing and decorating said memorial hall shall not exceed a sum equal to one twelfth (1/12) of the total cost of said memorial hall and the land upon which said memorial hall has been erected

Section 2571 Tax Levy Increase of Indebtedness The board of commissioners may provide the funds with which to pay for the ground purchased or condemned and the erection thereon of a memorial hall or the acquiring of additional land or for the equipping furnishing and decorating of said memorial hall by the levying and collecting of a tax upon the taxable persons and property within said county and by increasing the indebtedness of said county according to law and by issuing and selling bonds Such bonds shall be payable in not more than ten (10) years from their date and shall be in such form upon such terms and in such denominations as the said commissioners may deem best

Section 2572 Preservation Maintenance Repair and Completion of Public Monuments The board of commissioners may preserve maintain and repair any public monument in the county other than in cemeteries including the enclosed public ground surrounding the monument and appropriate moneys for such purposes In any case where any public monument referred to in this section has been partially completed either in construction or payment the board of commissioners may appropriate money for the purpose of such completion

(i) Public Auditorium Public Libraries Public Memorial Buildings and Monuments

Section 2577 Acquiring of Property (a) Counties shall have power to take by gift purchase or acquire through condemnation proceedings property for the purpose of erecting thereon public auditoriums public libraries public memorial buildings and monuments

All proceedings for the condemnation of any property under the provisions of this section shall be in the manner and subject to the restrictions and procedure provided by law

(b) Counties may appropriate money from the public funds or by issuance of bonds in accordance with the Municipal Borrowing Law for the erection on said property taken purchased or acquired through condemnation proceedings public auditoriums public libraries public memorial buildings and monuments They may appropriate moneys for the operation and maintenance of such public auditoriums public libraries memorials buildings and monuments

Section 2578 Rental of Auditoriums Counties in case of public auditoriums may charge a rental for the use of said auditoriums All moneys derived from rental of said auditoriums shall first be devoted to the maintenance of said auditorium and any annual balance accruing therefrom shall be turned over to the county funds for the general uses and purposes of said county

Section 2579 Consent of City or Borough No county county shall acquire any property for or erect any such public auditorium library memorial building or monument within the limits of any city or borough without the consent of the corporate authorities of such city or borough

(j) Orphans and Childrens' Homes

Section 2583 Donations to Orphans' or Childrens' Homes The board of commissioners may receive from time to time donations gifts legacies endownments devices and conveyance or conveyances of property real or personal that may be given or granted for the use and purpose of providing a home within the county for the keeping and care of indigent orphans and children dependent upon the public of such county for support

Section 2584 Management and Control of Orphans' Home Any such orphans' home shall be under the management and control of the board of commissioners of the county and they are hereby authorized to appoint a superintendent and such assistants as may be necessary to properly conduct the affairs of such home

Section 2585 Admission to Home Indigent orphans and children shall be committed to any such home on order of the board of commissioners

Section 2586 Maintenance of Children's Home When any property has been given or granted to any such county for a children's home and a home is duly established the county may thereafter appropriate from the county funds moneys for the support and maintenance of such orphans and children and for the payment of the salary of the superintendent and his assistants

(k) Morgues

Section 2590 Authority to Provide Approval The county commissioners of each county may upon presentment of two successive grand juries of the county buy or lease land and construct and maintain thereon at the sxpense of the county a morgue for the reception and care of the bodies of all unclaimed deceased persons upon whom it may be necessary to hold a coroner's inquest and such other bodies as the coroner of the county may by written order direct to be received therein The location of such morgue shall be determined by the county commissioners subject to the approval of a judge of the court of common pleas and the coroner of the county

(l) Warehouses

Section 2595 Acquisition of Property for Warehouse Purposes (a) It shall be lawful for and the right and power is hereby conferred upon the county to enter upon take use and appropriate by the right of eminent domain and to acquire by purchase lease gift devise or otherwise private property for the purpose of erecting thereon a suitable building or buildings for warehouses for the housing of machinery tools equipment vehicles and the storage of materials for the maintenance of roads highways bridges and tunnels whenever the county commissioners thereupon shall by resolution determine thereon

(b) The compensation and damages when not agreed upon shall be ascertained determined awarded and paid in a manner provided in this act

(c) In every case of the taking of private property by eminent domain thereunder the county shall acquire the

entire title either in fee or otherwise held by the owner or owners of said property or of any interest therein

(d) For the purpose of acquiring such property and the erection thereon of the buildings aforesaid the county commissioners may borrow money and issue bonds therefor in accordance with present or future laws relating to the issuance of bonds for roads highways tunnels and bridges

Article XXVI

Eminent Domain and Injury to Property

Section 2601 Eminent Domain County May Enter Upon Land Et Cetera In all cases where the power of eminent domain is conferred upon the county by law the county may enter upon appropriate take injure or destroy private lands property or material

Section 2602 Certain Property Not to be Taken by Eminent Domain The power conferred by this article shall not be exercised to enter upon appropriate take injure or destroy any church property graveyard or cemetery

Section 2603 Right to Entry to Make Preliminary Surveys For the purpose of making all necessary preliminary surveys in order to prepare plans and estimates the board of commissioners and the persons by them employed for such purposes may enter upon private or public property and designate by proper marks upon the ground the line of any improvement proposed to be made and constructed under and for the purposes herein authorized

Section 2604 Right of Damages The right to damages against counties is hereby given to all owners or tenants of lands property or material appropriated injured or destroyed by the county in cases where the right of eminent domain has been exercised and to all owners or tenants of lands property or material abutting on or through which pass roads or highways injured by the laying out opening widening vacating extending or grading of such roads or highways or the changing of the grades or lines thereof the construction and the vacation of bridges piers and abutments and approaches therefor and the construction of sewers over upon or through such lands or property

Section 2605 Agreement of Damages The county commissioners may agree with the owner as to the amount of damages occasioned to any person for property taken injured or destroyed Such damages shall be payable by the county out of the general county funds or other funds provided for that purpose

Section 2606 County to Furnish Bond When Immediate Possession Is Desired Notice (a) Whenever the board of commissioners or the board of commissioners in conjunction and acting with the corporate authorities of any city borough town or township have selected any land property or material to be appropriated injured or destroyed by the right of eminent domain and desire immediate possession thereof and are unable to agree with the owner or owners upon the amount of damages due them for such appropriation injury or destruction or by reason of the absence or legal incapacity of such owner or owners no such agreement can be made they shall tender a bond to the said owner or owners or to the attorney or agent of any absent owner or to the guardian or committee of any one under legal incapacity in sufficient sum to secure him or them for damages Upon acceptance of said bond by the owner or owners of said land property or material the county shall have the right to immediate possession thereof

(b) In case the acceptance of said bond has been refused by the owner or owners the board of commissioners after written notice thereof has first been given to said owner or owners his or their agent attorney guardian or committee shall file the same in the court of common pleas or with any judge thereof and upon approval thereof by said court or judge the county shall have the right to immediate possession of said land property and material

Section 2607 Writ of Habere Facias Possessionem to Issue If the owner lessee or occupier shall refuse to remove his personal property therefrom or give up possession thereof the petitioner in the proceedings may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property therefrom and give up possession of said lands property or materials within thirty days from the date of the service of said notice

If the owner lessee or occupier of said lands property or material shall refuse or neglect to remove his personal property therefrom and give possession thereof upon proof of the service of such notice being filed in the office of the prothonotary for the county in which said lands buildings or other property is located a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the party entitled thereto possession as is provided for by existing laws

Section 2608 Appointment of Viewers (a) In case the board of commissioners or a majority of them and the parties interested in the land property or material appropriated injured or destroyed by the county fail to agree upon the compensation to be made for the land property or material so taken injured or destroyed upon petition of such commissioners or a majority of them or any person or parties interested and whose land property or material is affected thereby to the court of common pleas of said county the said court shall appoint three viewers from the county board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet and view the land property or material to be so appropriated injured or destroyed

(b) The said viewers shall give at least ten days' notice by publication in one newspaper of general circulation in the county once and in accord with the provisions of section one hundred and ten of this act of the time and place of their first meeting and shall also give notice thereof by handbills posted in conspicuous places in the vicinity of the said proposed public improvement

(c) All the viewers shall act unless prevented by sickness or other unavoidable cause but a majority of the viewers may hear determine pass upon and report all matters relating to the view for which they were appointed

Section 2609 Time of Appointment of Viewers Cost (a) The viewers provided for in the preceding section may be appointed either before or at any time after the entry upon taking appropriation or injuring of said land property or material

(b) The cost of said viewers and all court costs incurred including all advertising and notices in connection therewith shall be paid by the county except that when the right of eminent domain has been exercised by the county acting with the corporate authorities of any city borough or township then all costs shall be borne equally by the county and city borough or township

Section 2610 Petition for Appointment of Viewers to Specify Liens on Property In all proceedings hereafter instituted for the condemnation and appropriation of land and property by eminent domain the petition for the appointment of viewers shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 2611 Testimony and Evidence Concerning Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings Certified lists of liens from the courts of the Commonwealth and the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by oral or documentary evidence shall be conclusive upon the parties thereto

Section 2612 Procedure Rights and Liabilities Where Liens Exist When it appears that liens exist which are liens upon property sought to be condemned and appropriated a report of the facts found shall be made to the court Such report shall be subject to exceptions in man-

ner to be regulated by the Supreme Court by general rule When the court has finally determined the findings in relation to the laws the court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens then to the owners of the property appropriated as aforesaid The parties interested shall have the right of appeal from said order of distribution to the Superior and Supreme Courts in accordance with the order of distribution evidenced by a receipt of record in the proceedings shall absolutely discharge the party making the payment from all liens by any person copartnership association or corporation as against said property In such receipt and on the record thereof any claimant may reserve the right to proceed against any other property or assets of the owner of the property condemned for any balance due upon his lien

Section 2613 Proceedings by and Before Viewers The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land property or material to be appropriated injured or destroyed shall hear all parties interested and their witnesses and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said lands or materials in consequence of the proposed improvement shall estimate determine and assess the damages for the land property or material taken injured or destroyed and to whom the same is payable and the benefits if any in connection therewith Having so estimated determined and assessed the damages and benefits they shall prepare a schedule thereof and give notice to all parties to whom damages are allowed or against whom benefits are assessed of a time not less than ten days thereafter and a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence

Section 2614 Notice of Meeting Notice of the time and place of said meeting shall be given in the manner provided by law for the service of summons in a personal action upon all parties allowed damages and against whom benefits have been assessed as shown by said schedule if the said parties can be found in the county or upon an adult person if any residing upon the property affected in case the owner or reputed owner cannot be found and to all others by publication in the newspaper or newspapers in which the first notices of said view were published When no service is made upon the owner reputed owner or upon an adult person residing upon the property affected said notice where publication thereof has been made shall be deemed to have been properly served if tacked or conspicuously posted on the premises The court may provide by whom the notice provided by this act shall be posted given and served and fix the compensation for said service

Section 2615 Plans of Properties Condemned to Be Furnished to Viewers (a) In all proceedings to assess damages for the taking injury or destruction of private property for public use the county taking injuring or destroying property for said purpose shall furnish the board of viewers with a correct plan of all properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all highways running through or abutting on said properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private property

(b) Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the property and all other parties affected thereby without charge

Section 2616 Report to Court After making whatever changes are deemed necessary the said viewers shall make report to the court showing the damages allowed and benefits assessed in each case and file therewith a plan showing the improvement and the land properties and materials taken injured or destroyed When said report is filed notice thereof shall be given by publication once in the newspaper or newspapers in which first notices of said view were published Said notice shall state the date of filing of the report and shall contain a schedule of the damages and benefits shown therein and shall further state that unless exceptions thereto are filed within thirty days from the date of filing the said report will be confirmed absolutely

Section 2617 Certain Testimony Authorized In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified

(1) To state in detail and costs all the elements of the property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(2) To state in detail and costs all of the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(3) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantages or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(4) In all proceedings to assess damages or benefits for the opening of any road or highway to take into consideration as one of the elements of advantage or disadvantage the cost of highway improvements

Section 2618 Value of Property In all claims for damages against a county arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence the value of the property affected as assessed for the purpose of taxation

Section 2619 Unlawful Assessments In all cases of appropriation of land for public use other than for roads or highways it shall be unlawful to assess any portion of the damage done to or value of the land so appropriated against the other property adjoining or in the vicinity of the land so appropriated

Section 2620 Vacation of Road When No Property Is Taken Whenever viewers are appointed to vacate any road or highway and the vacation of the same takes no land from the owner abutting thereon if in the opinion of the viewers such vacation damages the property of the abutting owner they may award damages to such owner as though land has been actually taken

Section 2621. Procedure When Building Is on Line of Proposed Road Whenever in locating relocating opening widening straightening or extending any road or highway or parts thereof the same shall be found to pass through take or injure buildings barns or other valuable improvements thereon the said viewers or a majority of them shall have the right to recommend that such buildings and improvements situate in part or in whole on the road or highway so to be improved opened widened straightened or extended shall be permitted to remain thereon for such time as shall be deemed wise and proper and if the court shall approve the finding and report of said viewers or a majority of them the owner or owners of such buildings or improvements may continue to use and enjoy the same during the time so fixed and determined In case of the destruction vacation or abandonment of any such building within the time they are so authorized to remain such owners or owner shall not have the right to re-erect and reconstruct or retake such buildings or improvements within the line of such road or highway

Section 2622 Time Limit for Report of Viewers Viewers appointed to assess the damages and benefits due to the

appropriation injury or destruction of land property and materials shall make their reports within a time which the court shall fix when so appointing them If the viewers so appointed shall for any reason appearing sufficient to the court be unable to file their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 2623 Exceptions to Report Upon the report of said viewers or any two of them being filed in said court any party interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall marke the same "confirmed nisi" and in case no exceptions are filed thereto within said thirty days he shall enter a decree (as of course) that said report is confirmed absolutely Within thirty days after the confirmation modification changing or correcting of said report any interested party may appeal from said decree to the Superior Court or to the Supreme Court as the case may be

Section 2624 Demand for Jury Trial Within thirty days after said report is filed in court as aforesaid such county and any party whose property is taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury according to the course of the common law The court of common pleas shall within thirty days order what notices shall be given in connection with any part of said proceedings and make all such orders as it may deem requisite and may by rule or otherwise prescribe the form of the pleadings After verdict and final judgment either party may have an appeal to the Superior Court or Supreme Courts as in other cases

Section 2625 Payment of Damages and Costs Interest on Awards All damages agreed upon or awarded and all costs and expenses incurred shall be paid by the county except in cases wherean appeal is taken by any party in interest from the award of the viewers and the appellant does not recover any greater amount than the viewers award in which case the appellant shall pay all costs of such appeal

The amount of damages allowed in a report of viewers for the taking injury or destruction of property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of filing of the report

Section 2626 Collection of Awards Upon the final confirmation of the report of the viewers the party or parties to whom an award has been made shall have the right to take such further appropriate legal proceedings as may be necessary and proper to enforce payment of said confirmed award either in nature of a writ of mandamus execution or otherwise

Section 2627 Title to Vest Upon Payment of Award Upon payment of the compensation for land or property in accordance with the order of distribution all claims for compensation shall be deemed paid and satisfied

Section 2628 Money to Be Paid Into Court in Case of Adverse Claims (a) If any person or persons shall claim adversely to each other any estate or interest in the land property or materials selected by the board of commissioners to be appropriated injured or destroyed for the purposes mentioned in this act and the viewers shall not be able to determine who are the owner or owners of said land property or materials or the value of their estates and interests therein they shall so report valuing the land property or materials as a whole and upon the confirmation by the court of the report of said viewers if no appeal shall be taken therefrom the commissioners of the county shall pay into the court the whole of the said valuation money thereupon the title of the land property or material and the estates and interests of all the owners thereof shall become vested in fee in the county acquiring and taking said land property or materials

(b) The court of common pleas shall by rule process or motion require all said claimants to appear therein and may by an issue framed between them to be tried by a jury or by a reference to a master or by such orders and decisions as shall appear to be just under all the circumstances of the case determine the estates and interest of said claimants in said valuation money Upon the final determination of such proceeding the court shall direct said valuation money to be paid to the person or persons ascertained to be entitled thereto

Section 2629 Appeals by Adverse Claimants (a) In case any of said claimants shall appeal from the award of said viewers the county commissioners upon filing in the court and having approved thereby a bond in double amount of said award to the said owners and claimants for the benefit of the persons owning said land property or materials with at least two sufficient sureties conditioned for the payment by the county of such an amount as the owner or owners shall be entitled to receive for said ground when the same shall have been finally ascertained by due course of law may lawfully enter upon and take possession of said land property or materials

(b) The said court shall thereupon proceed to determine the estates and interest of said claimants in said land property or material as is hereinbefore provided when the valuation money is paid into court Said proceeding shall be finally determined before the issue framed upon the said appeal shall be tried and if it be determined that the party appellant has no estate or interest in said land property or materials his appeal shall be disallowed

Section 2630 Payment Into Court When Award is Refused or When Parties Cannot Be Found Any amount of money awarded as herein provided if refused by the person or persons entitled thereto or if the person or persons entitled thereto cannot be found shall be paid into court and thereafter all such persons shall look to said fund for all damages accruing by reason of the appropriation injury or destruction of such land property or material

Section 2631 Notice to Vacate Ejectment In case any land or property selected by the board of commissioners or by the board of commissioners in conjunction and acting with the corporate authorities of any city borough or township to be appropriated injured or destroyed and said land or property has improvements thereon in the actual occupancy of any person or persons and such person or persons has had his her or their damages assessed and paid thirty days' notice to vacate the same shall be given to the party or parties so in actual possession In case of refusal or neglect on the part of any one to obey said notice the board of commissioners may at the expiration of said thirty days enter upon and eject or cause to be ejected any of the parties so refusing or neglecting to vacate and use force enough by themselves agents or employes to accomplish the same

Section 2632 Appropriations of Right of Way or Easement In any action brought to ascertain or recover damages caused to any owner of lands by reason of the appropriation of a right of way or easement in such lands by any county where such owner of lands and such county cannot agree upon the amount of damages payable to such owner the parties may by agreement waive the right to have such damages assessed by viewers Such owner may thereupon file his statement and claim in the court of common pleas and rule the defendant to plead thereto within fifteen days from notice of such rule duly served upon said county and the said suit shall be proceeded with the same as if an award of viewers had been filed and an appeal had been taken therefrom

Either party to such action shall have the right during the trial to demand and have the jury which may be selected to try said cause visit and view the premises over or through which the right of way or easement extends before rendering a verdict in such case

Section 2633 Discontinuance of Proceedings by County In case the county shall discontinue any proceedings taken providing for the appropriation injury or destruc-

tion of any land property or materials prior to the entry upon taking or appropriation thereof and before judgment therein the said county shall not thereafter be liable to pay any damages which have been or might have been allowed but all costs upon any such proceedings had thereon shall be paid by the county together with any actual damages loss or injury sustained by reason of such proceeding and the amount of the same may be determined and fixed by the court in which such proceeding was pending

Articles XXVII and XXVIII

Bridges Viaducts and Culverts

(a) General Authority and Procedure

Section 2701 Contracts It is unlawful for the county commissioners to make any contract over five hundred dollars ($500) to build rebuild or repair any county bridge without first advertising for at least three weeks or in case of emergency one week for sealed bids or proposals to build rebuild or repair such bridge in at least three newspapers published in the county where said proposals or bids are asked for Such advertisement shall contain the description of the repairs or plans of the kind of bridge required the time when the proposals or bids shall be closed and when said bids or proposals shall be opened When the contract is for the building of a bridge the plans and specifications therefor or a copy thereof shall be kept in the office of the county commissioners open to the inspection of all intending bidders during such advertising and until the time specified therein for the reception of bids In the case of a bridge to be erected over a river or stream upon the line between two adjoining counties the advertising shall be done in each of said counties and a copy of the plans and specifications shall be kept in the commissioners' office of each county

Section 2702 Penalty If any county commissioner violates any of the provisions of the preceding section of this act or if any county commissioner or any person shall do or permit anything which prevents fair competition in the making or submission of bids for such building rebuilding or repair they shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or be imprisoned not exceeding two (2) years or both

Section 2703 Filing of Security With Proposals Opening of Bids The proposals or bids must be accompanied with such security as the county commissioners may require which must be filed with the chief clerk or some one in charge of the commissioners' officer at least one hour before the time fixed for the opening of the bids or proposals The time of filing bids and the person's name with whom filed must be marked on the outside of said bids

All bids or proposals shall be opened in public and in the presence of not less than two of the county commissioners and the chief clerk and a record made of each and every bid

Section 2704 Awarding of Contract Readvertising The commissioners shall as soon as possible after the time fixed for the opening of said bids award the contract for the building rebuilding or repair of said bridge to the lowest responsible bidder upon the condition that said bidder must within ten days after notice of award of said contract sign and execute a contract for the faithful performance of the proposal and furnish a bond in a sum not exceeding the amount of the contract which contract and bond shall first be approved by the court of quarter sessions If the lowest bidder neglects to comply with the conditions of his bid within the time required the commissioners shall award the same to the next lowest bidder In case all bids are too high or unreasonable in the opinion of the commissioners they may reject any and all bids and advertise for new bids

Section 2705 Compensation for Additional Work In all cases where bridges shall have been or may be erected for the county and deviations from or alterations in the plan contracted for have been made by the direction of the county commissioners where the county commissioners and builders cannot agree upon the compensation to be made therefor it shall be lawful for such builder to recover any sum to which he may be justly entitled for such deviations and alterations beyond the contract price in an action for work labor and service done and performed and material found and provided

Section 2706 Inspection Every bridge erected by the commissioners of the county or under contract with them shall upon completion be inspected by three fit persons one of whom shall be a surveyor to be appointed by the court of quarter sessions who shall make report of their findings to the court Such inspectors shall before they proceed make oath or affirmation before any person authorized to administer oaths to perform their duty impartially and according to the best of their judgment The expense of the inspection shall be paid by the county

Section 2707 Payment on Contract If any such bridge shall be approved by the court and the same shall have been erected under contract with the commissioners the money due under such contract shall be paid agreeably thereto

Section 2708 Deduction of Part of Contract Price If the persons appointed to inspect any bridge erected by contract shall not approve of the same they shall report to the court what sum in their judgment ought to be deducted from the sum stipulated in such contract and thereupon the court shall grant a rule upon the builder or contractor to show cause against said report at a time and place in such rule to be named

Section 2709 Action on Contract or Procedure on Rule After the service and return of such rule it shall be lawful for the builder or contractor to file a declaration or statement in the court of common pleas upon the contract made by him with the commissioners and thereupon proceed to trial in due course in like manner as if an action had been commenced by him upon such contract against the county or at his election he may show cause against the said report and thereupon the court of quarter sessions shall determine the matter as justice and equity shall require

Section 2710 Bridge Erected by Commissioners When any bridge shall have been erected by the commissioners of the county or under their superintendence if the same shall not be approved by the inspectors they shall report in what respect such bridge is deficient and whether or not the same has occurred through the default neglect or official misconduct of the commissioners or any of them and what in their judgment is the value of such bridge Thereupon the court shall in like manner grant a rule upon the commissioners to show cause against such report

Section 2711 Procedure on Rule After the service and return of such rule it shall be lawful for the commissioners to have an issue directed upon the said report to the court of common pleas to be tried by a jury or at their election they may show cause against the same and thereupon the court of quarter sessions shall determine the matter as justice and equity shall require

Section 2712 Building or Rebuilding in Emergencies When a county bridge wholly within the county or on the boundary line between any two counties has been or shall hereafter be destroyed or partially destroyed or rendered impassable or becomes insufficient or inadequate to accommodate public travel or in any other case of emergency it becomes necessary to construct or reconstruct any such bridge the county commissioners of the county or of any two counties in case of a joint county bridge may upon the approval of the court or courts of quarter sessions of such county or counties erect and construct a new bridge or reconstruct any partially destroyed insufficient or inadequate bridge to take the place of such wholly or partially destroyed or insufficient or inadequate bridge

Section 2713 Bridges on Boundary Between Two Counties (a) Whenever any bridge contemplated by any of the provisions of this article is on the boundary line between two counties or within one-fourth of a mile there-

from and necessary for the accommodation of the inhabitants of both counties the commissioners of such counties shall act jointly in the exercise of all powers conferred upon them and in the performance of all duties imposed upon them Whenever a petition of residents or taxpayers is required such petition shall be made by the required number of petitioners in each county to the court of quarter sessions or the court of common pleas as the case may be of their county Whenever any other petitions are required such petitions shall be made to each of such courts Each of the courts shall act on such petitions and shall communicate its approval or disapprove to the other court

(b) Whenever the appointment of viewers or inspectors is required the court of each county shall appoint a full number of such viewers or inspectors and order a view in the manner and with like powers duties and procedure provided for in the case of public roads The total number thereof shall act together in the view or inspection and shall make their joint report and recommendations to each court Exceptions to the report of viewers may be filed in and appeals therefrom made to the courts of either county in which case the courts of said two counties sitting together shall hear and determine the same Whenever publication of notice is required such publications shall be made in each county The approval of both boards of commissioners and of both courts shall be necessary in order to authorize any action requiring such approval

Section 2714 Payment of Cost Tolls Rentals (a) All expenses in connection with any matters affecting any such bridge shall be borne by the two counties jointly in equal proportions or in any other proportions as the commissioners of the several counties may agree upon

(b) Whenever it is necessary for any counties in the construction of any joint county bridge or in joint acquisition of any toll bridge to issue bonds in payment of such construction erection or acquisition including the approaches thereto the damages sustained by the owner or owners of lands taken in the construction thereof and including reasonable fees for necessary legal services required in such construction erection and acquisition the commissioners of said counties may with the consent of the State Department of Highways if the cost of such bridge was in excess of four hundred thousand dollars ($400,000) assess supervise and collect such tolls for the use of said bridge for all traffic as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same within thirty years from the date of the issue thereof and to pay also the costs and expenses of operating and maintaining such bridge between the time of construction thereof and the date of the redemption of the last of said bonds to be redeemed by such tolls

(c) The tolls so collected shall be distributed between such counties in proportion to the amount paid in by each county in the original construction or acquisition and in no case shall any tolls be collected after the redemption of the original bonds issued All moneys received from rentals for special use shall be divided between them in the same proportion Such bridge shall be a joint county bridge

Section 2715 Management Maintenance and Policing of Joint County Toll Bridges Turning over to the Department of Highways (a) Such joint county bridge shall be managed controlled maintained repaired operated and lighted by the commissioners of the said counties acting as a joint county bridge commission who are hereby authorized to act jointly in the employment of such workmen collectors of tolls and other employes and fix their wages salaries and compensation and to incur such other expenses in the construction and operation of such bridge including the compensation of such attorneys as in their judgment shall be requisite and necessary All decisions of such commission shall require a majority vote of all the members thereof

(b) The commissioners of said counties acting jointly shall have power to adopt such rules and regulations as they deem expedient for the proper government and management of said bridge and for the preservation of good order safe traffic and proper conduct thereon Said commissioners are further authorized and empowered to make arrests for evasion or attempts to evade the payment of tolls which may be fixed or may have been fixed for passage over said bridge

(c) For any violations thereof the offender or offenders shall be subject to a fine or penalty of not less than ten dollars ($10) or more than twenty-five dollars ($25) together with costs to be adjudged by a justice of the peace or alderman of either of said counties and on default of payment of such fine or penalty then to imprisonment of not less than ten (10) days or more than thirty (30) days in the county prison of either of said counties

(d) Said powers and duties of said commissioners acting as a joint commission shall continue until the redemption of the last of said bonds to be redeemed by such tolls whereupon said bridge shall be turned over as a free bridge to the Commonwealth if such bridge crosses a river and is located on a State highway route or connects two State highway routes Thereafter such bridge shall maintained by the Highway Department at the expense of the Commonwealth

Section 2716 Widening Straightening Altering or Changing Course of Unnavigable Streams for Protection of County Bridges and Highways Whenever in the erection construction repair or maintenance of any county bridge or highway it becomes necessary for the safety of said bridge or highway or advisable from an economic standpoint to widen straighten alter protect or change the course of any unnavigable stream it shall be lawful for the county to enter upon abutting or adjacent land and to widen straighten alter protect or change the course of such unnavigable stream for such purposes and in connection with such entry to take injure and destroy any necessary land or property in accordance with Article XXVI.

Section 2717 Dykes Banks Causeways and Sluiceways for Protection of Bridges and Highways The board of commissioners for the purpose of protecting any county bridge or bridges the abutments thereof and approaches thereto and any public highway adjacent to the same from the incursions of floods or waters of any creek rivulet or other stream and so as to prolong the life of said structures may erect and maintain dykes banks causeways and sluiceways over on and across any creek rivulet or other stream not navigable and which creek rivulet or other stream is affected by the rise and fall of the tide floods or waters of any creek rivulet or other stream and secure a right of way for proper ingress and egress thereto and in connection with such activities to take injure and destroy any necessary land or property in accordance with Article XXVI Any such change in an existing stream channel under the provisions of this or the preceding section shall first be approved by the Department of Forests and Waters

Section 2718 Materials Taken from Adjoining Lands It is lawful for the contractors or board of commissioners in building any county bridge to enter upon the lands and inclosures near the place where such bridge is to be built for the purpose of searching for and procuring the materials necessary for the building of such bridge when such materials cannot be conveniently obtained by contract at reasonable prices In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fences which they make

Section 2719 Lighting of County Bridges (a) Whenever considered necessary for the safety and convenience of the traveling public the county commissioners of the county within which a county bridge is erected or the county commissioners of two or more counties acting together with regard to any bridge located partly in one county and partly in another county or counties may supply and equip any county bridge within their respective counties with lights of any kind and character as they shall deem necessary

(b) To carry out the provisions of this act the county commissioners severally or jointly are authorized to

contract with any individual or with any municipal or private corporation for the purpose of supplying the necessary light

(c) The cost of the construction erection and maintenance of any light placed upon any such bridge shall be paid by the county or by the two or more counties as may be agreed upon by the county commissioners of said counties

Section 2720 Repair of County Bridges The county commissioners shall repair all county bridges heretofore erected or that may be hereafter erected by the county where no other provision is made for the maintenance thereof and shall pay the expenses of such repairs out of the county treasury

Section 2721 Painting and Tightening of Bolts of Iron and Steel Bridges The county commissioners shall have the county bridges which are constructed of iron or steel painted and the bolts of the same drawn as often as may be necessary to preserve them from the effects of rust and prevent unnecessary wear occasioned by loose bolts

Section 2722 Contracts for Work Whenever it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by the preceding section where the cost of such work exceeds five hundred dollars ($500) the county commissioners shall cause to be published at least once a week for four successive weeks in two newspapers of the county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge The contract for material and work upon each bridge shall be given to the lowest responsible bidder

Section 2723 Repair of Bridges Viaducts and Subways When Liability for Such Repairs is in Doubt Whenever any bridge viaduct or subway carrying a public highway over or under a railroad street railway or other highway in the county of the Commonwealth is out of repair and an application has been made to the Public Utility Commission to compel the repair thereof from which proceedings it appears that there is a contest between two or more municipal authorities or between such authorities and one or more public service corporations as to the liability for such repair and that the cost thereof is not in dispute the petitioner or petitioners or any other person or corporation interested may forthwith apply to the county commissioners of such county for the prompt repair thereof

Section 2724 Application to County Commissioners Authority to Act Such application shall be made by serving upon the county commissioners a certified copy of the petition and each of the answers on file before the Public Utility Commission After such service the county commissioners may take such steps as may be necessary to place said bridge viaduct or subway in repair and safe for public travel

Section 2725 Contributions Towards Work Should the county commissioners find it impracticable to make such repairs with county funds they shall so notify the complainant in the proceedings instituted before the Public Utility Commission Thereupon any individual corporation or association interested in having such repairs made may contribute to a fund deposited with the county treasurer for the purpose of making said repairs When said fund shall become sufficient for said purpose the commissioners shall take the necessary steps to place said bridge viaduct or subway in repair and safe for public travel Said repairs may be made partly from such contributions and partly from public funds if the commissioners find it expedient so to do

Section 2726 Collection of Costs of Repairs Return of Contributions The cost of said repair shall be kept by the commissioners in an open account until there has been a final adjudication of the proceedings before the Public Utility Commission whereupon the amount so expended together with five per centum of such amount to cover the cost of supervision of the work shall be collected as awards of the Public Utility Commission are collected and shall be paid into the county treasury Thereupon or in case the contributions aforesaid are insufficient to cause said work to be undertaken any contributions which may have been made as aforesaid shall be returned to the contributors

Section 2727 Temporary Substitutes for Bridges Where county bridges have been or shall hereafter be dtstroyed or rendered impassable by fire storm flood or other casualty the county commissioners may provide at the expense of the county ferries or other temporary ways as a substitue for such destroyed or impassable bridges until such county bridges shall be rebult or rendered fit for public travel Where a county bridge spans a stream which is the boundary between two counties of this Commonwealth and the bridge across such stream has been built and maintained at the joint expense of said adjoining counties the establishment and maintenance of such ferry or temporary way shall be by the joint discretionary action of the boards of commissioners of said counties and the expense thereof shall be borne by said counties in equal share

Section 2728 Bridge for Pedestrians Only When the county commissioners of the county have been legally authorized to erect a county bridge and when in the exercise of their discretion it is found that a bridge for pedestrians only will sufficiently accommodate public travel at the place in question they are authorized to erect such bridge instead of a bridge for general traffic

Section 2729 Rebuilding Insufficient Bridge Whenever it shall appear to the commissioners that any county bridge is not sufficient for any cause to accommodate the public travel they may upon the approval of the court of quarter sessions as hereinafter provided erect and construct a new and sufficient bridge to take the place of the insufficient destroyed or partially destroyed bridge or may widen and straighten county bridges where deemed necessary to accommodate the public travel Such new bridge when constructed shall be a county bridge

Section 2730 Rebuilding Bridges Wholly or Partly Destroyed (a) The county commissioners shall rebuild and reconstruct all bridges heretofore built or that may hereafter be erected by the county commissioners whether constructed under general special or local laws whenever any such bridge has been or shall hereafter be blown down destroyed partially destroyed or swept away by floods freshets ice storm fire or other casualty at the expense of the county

(b) For the purpose of carrying into effect the provisions of this section the county commissioners are hereby authorized to borrow any sum of money in accordance with the Municipal Borrowing Law

Section 2731 Closing Vacating Abandoning and Removing Whenever it shall appear to the commissioners of the county that any county bridge has from any cause become burdensome and is no longer necessary for the accommodation of public travel they may upon the approval of the court of quarter sessions close vacate abandon and remove said bridge

Section 2732 Contracts With Railroad Companies for Use Purchase Removal Replacing or Exchange of County Bridges (a) Any railroad company which has heretofore located or may hereafter locate its railroad upon any county bridge may contract and agree with the commissioners of said county for the use purchase removal replacing or exchange of such bridge or for the compensation to be paid to said county by said company for the use and occupancy of said bridge or such parts thereof as may be used and occupied by said railroad company For such purpose the commissioners may contract and agree with said company and may do all acts necessary and proper to effectually carry out such contract

(b) All moneys due and all obligations incurred by said companies under said agreements and contracts may be collected and enforced in the same manner as debts of like amount are now recovered and similar obligations enforced in this Commonwealth

Section 2733 Restrictions and Saving Clause No bridge erected under the provisions of this act shall obstruct any canal or railroad over which such bridge may be erected Nothing in this article shall release railroad or other com-

panies of the Commonwealth from the requirements of existing laws

Section 2734 Appropriations Tax Levy and Incurring of Indebtedness For the purpose of carrying into effect the provisions of this subsection the county commissioners are hereby authorized to make appropriations levy taxes borrow money and incur indebtedness in accordance with the Miunicpal Borrowing Law

(b) Authorization and Construction

Section 2751 Entering on Record as County Bridge Whenever the erection and construction of any new bridge or of any bridge to take the place of an existing bridge over a river creek rivulet or canal or over or under a railroad and forming part of any street road or highway in any city borough or township is necessary and requires more expense than it is reasonable that such city borough or township or any two of them when they are adjoining should bear the court of quarter sessions shall upon representation of the proper authorities of the respective city borough or of the supervisors of the township or on the petition of any inhabitants of the respective city borough or township order a view in the manner and with like powers duties and procedure provided for in the case of public roads If on the report of the viewers it shall appear to the court and commissioners of the county that such bridge is necessary and would be too expensive for such city borough or township or any two of them adjoining to bear it may in the discretion of the county commissioners be entered on record as a county bridge

Section 2752 Change in Location of Bridge and Roads When such bridge is to take the place of an existing bridge the viewers may change the location of such bridge so that it may be located and erected in the most suitable place or at the least expense or in the best manner In the case of the change of location of such bridge they shall also report what change in the course or bed of the road to be connected therewith will be necessary and shall also report the vacation of the old or existing bridge and the vacation of such portion of the road connecting therewith as they may deem proper The viewers shall cause every such variation to be accurately surveyed and a plot thereof to be made and returned with their report Upon the approval of their report such roads shall be altered accordingly

Section 2753 Estimate of Cost Tax Levy Erection Whenever a bridge shall be authorized and recorded as a county bridge it shall be the duty of the commissioners to procure an estimate of the cost thereof and provide in the county levies the moneys necessary to defray the same and proceed to have such bridge erected by contract or otherwise as shall seem to them expedient

Section 2754 Entering Embankments and Causeways on Record as County Improvements (a) Where a river creek or rivulet over which it may be necessary to erect a bridge crosses a public road or highway and the erecting of such bridge requires the erection and construction of an embankment or causeway leading to either end of said bridge the erection of which embankment or causeway requires more expense than it is reasonable that one or two adjoining townships should bear the court having jurisdiction shall upon the representation of the township commissioners or supervisors or on the petition of any of the inhabitants of the respective townships order a view

(b) If on the report of the viewers it shall appear to the court that for the use and enjoyment of said bridge by the public it is necessary to erect and construct an embankment or causeway the erection and construction of which would be too expensive for such township or townships to bear it may in the discretion of the county commissioners be entered on record as a county improvement and constructed as county bridges are erected

Section 2755 Assistance in Building Bridges not Entered as County Bridges When it is found by the report of viewers and by the court that a bridge is necessary and that the erection of such bridge will require more expense than it is reasonable that the one or more adjoining townships boroughs or cities of the third class should bear or in lieu of such proceedings with the approval of the Secretary of Highways when the cost to the county will not exceed fifteen hundred ($1500) and the county commissioners do not deem it advisable to enter such bridge on record as a county bridge but shall consider it proper to assist such township or townships or such city of the third class or such borough in building the same they may either build such bridge or any portion or portions thereof or furnish such township or townships or city of the third class or borough the whole or part of the money necessary to build it without entering such bridge on record as a county bridge

Section 2756 Record to be Kept by County Maintenance Repair and Rebuilding by Township or Municipalities The county commissioners shall keep a record of all their proceedings in such cases and such bridges shall be maintained kept in repair and rebuilt when necessary by the respective townships boroughs or cities of the third class and the county shall not be liable for the costs of the maintenance repair or rebuilding of the same or any part of such cost Provided however That in case the report of a board of viewers appointed by the court for the purpose duly approved by the court shall set forth that the cost of the repair or rebuilding of such bridge is greater than it is reasonable that the said township or townships borough or city of the third class should bear then it shall be lawful for the county commissioners of the county in which such bridge is located to furnish such township or townships boroughs or city of the third class either the whole or part of the money necessary to repair or to rebuild such bridge or bridges as the said board of county commissioners may deem just and proper

Section 2757 Entering on Record as County Bridge Whenever the county commissioners of the county have heretofore assisted or shall hereafter assist any township or borough in the building of the whole or any portion of a bridge and it shall afterwards appear to the commissioners and to the court of quarter sessions that the care maintenance and responsibility of said bridge is greater than it is reasonable that the said township or borough should bear they may with the approval of said court enter such bridge upon record as a county bridge and it shall thereafter be a county bridge the same as if it had originally been so entered on record

Section 2758 Borough and Township Bridges Donated to County Whenever a public bridge has been built or maintained by any borough or township or both or by any two townships and used by the public for travel the county commissioners may take the same as a county bridge whenever the proper authorities having the maintenance supervision and control of such bridge shall tender the same to said county commissioners free and without charge therefor Any bridge so taken shall thereafter be maintained and kept in repair as a county bridge

(c) On Action of County Commissioners

Section 2771 Bridges and Approaches Authorized The county commissioners upon the approval of the court of quarter sessions may locate lay out open construct and maintain public bridges across any river or stream whether such bridge is wholly or partly within any city borough or township therein together with such bridge approaches viaduct or other approaches as the county commissioners may deem necessary or convenient for the purpose of connecting any such bridge with the existing streets or public roads in such cities boroughs or townships and to that end may take enter upon appropriate property and rights of property of all kinds whether devoted to a public or private use for the purposes aforesaid and for the necessary slopes piers walls abutments fills and embankments in the manner and subject to the restrictions and procedures provided in Article XXVI of this act and may enter upon or over any street public highway or public road in such cities boroughs or townships

Section 2772 Plans and Surveys Petition to Quarter Sessions (a) Whenever the county commissioners shall resolve to exercise any of the powers conferred by the preceding section they shall cause to be prepared plans and surveys showing the location of the proposed bridge and its approaches and the property or rights of property affected thereby together with any streets or public roads in any city borough or township proposed to be used in connection therewith and they shall present the same together with their petition on behalf of said county to the court of quarter sessions praying for authority to locate lay out open and construct such bridge

(b) Such petition shall briefly describe the location and the estimated cost of such bridge or if the method of construction has not been fully determined the estimated cost thereof for each alternative method of construction proposed

Section 2773 Hearing and Decree (a) Upon the filing of any such application or petition the court shall fix a time for the hearing of the same Notice of the time place and purpose of said hearing shall be given by an advertisement published once a week for three successive weeks in at least one newspaper of general circulation in the county and by handbills posted in conspicuous places along or in the neighborhood of the proposed bridge and its approaches or otherwise as the court shall direct

(b) The court shall make an order fixing a time not less than ten days thereafter for the filing of exceptions thereto Upon the hearing thereof the court may for proper cause shown disapprove of said application otherwise it shall make an order approving the location and the plans and surveys therefor and authorize such county to construct such bridge and its approaches and to let a contract or contracts therefor under specifiations to be prepared by the county engineer or other proper county authority Thereupon the said bridge and its approaches shall be deemed to be laid out and opened in accordance with the surveys and plans accompanying said petition

Section 2774 Approval of State or Federal Officers Board or Body Change in Location (a) Where the proposed bridge crosses any navigable stream or other public water or the property rights of property or rights of way of any railroad or other public service corporation and by reason thereof the approval of any State or Federal officer board or body is required as to the location and construction of such a bridge or its approaches the county shall be deemed to have full and complete authority to construct such bridge in such other location and in such other manner as may be necessary to comply with the conditions prescribed by such officer board or body in granting such approval Provided The county commissioners be of the opinion and by resolution duly adopted so decide that the bridge as thus changed is necessary for the convenience of the traveling public and will accommodate substantially the same traveling public as the bridge would have done if it had been constructed at the location and in the manner originally provided

(b) Upon the adoption of any such resolution and prior to the construction of such bridge and the entry upon and taking of property for that purpose such county through its county commissioners shall present its petition to the court of quarter sessions of said county briefly setting forth the facts as to the obtaining of such approval and the change made in consequence thereof and the adoption of such resolution together with plans and surveys showing the new location and manner of construction and an estimate showing the cost of the construction of such bridge as thus changed

(c) If the proceedings shall appear to be regular the court shall make an order fixing a time not less than twenty days thereafter for the filing of exceptions thereto

(d) Notice of the time and place of hearing on said exceptions shall be given by advertisement published once a week for two successive weeks in at least two newspapers of general circulation in such county and by handbills posted in conspicuous places along or in the neighborhood of the proposed bridge and its approaches or otherwise as the court shall direct having regard to the circumstances of the case

(e) Upon the hearing thereof the court may for proper cause shown disapprove of said petition otherwise it shall thereupon make a decree authorizing and empowering the county to contract such bridge in accordance with such new plans and surveys and thereupon such bridge shall be deemed to have been laid out and opened in accordance with such plans and surveys

Section 2775 Contracts for Special Use of Bridge (a) The county commissioners may make and enter into contracts or leases with any street railway telegraph telephone or other corporation or persons desiring to make use of said bridge and its approaches for other than ordinary public foot or vehicle traffic and with the successors and assigns of such corporations for the concurrent use of such portion of said public bridge and approaches as shall not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use

(b) No such contract or lease shall be entered into for a longer period than twenty years nor unless such contract or lease shall be first approved by the Public Utility Commission of this Commonwealth

Section 2776 Consent of City or Borough Should the board of county commissioners in the exercise of the powers herein conferred deem it necessary or advisable to enter upon any street or public highway in any city or borough or to take any other action affecting the property rights or authority of any such city or borough for the purpose of constructing or maintaining any such bridge with its approaches and other appurtenances or otherwise the consent thereto of such city or borough by ordinance shall be first had and obtained

Section 2777 County Authorized to Contract With City or Borough When such bridge is proposed to be located or erected in any city or borough the county may agree that such city or borough may bear a portion of the cost of the locating laying out opening and constructing of such bridge and its approaches and appurtenances and that the city or borough may provide the approach therefor and bear the cost of the maintenance of any approach within the respective city or borough as shall be agreed upon between any such county and such city or borough All such agreements shall be entered into in writing and at least one executed copy shall be furnished to each county city and borough becoming a party thereto

Section 2778 Appropriations and Tax Levy The county constructing a bridge under the provisions of this article may appropriate and pay out of the general county funds all moneys necessary for said purposes and may levy assess and collect taxes for the purposes aforesaid on all real and personal property within said county now or hereafter taxable for county purposes in addition to all other taxes

Section 2779 Incurring of Indebtedness (a) The county constructing a bridge under the provisions of this article may pursuant to a resolution adopted for that purpose by the county commissioners of such county borrow money and incur indebtedness for the purpose aforesaid to an amount not exceeding the limit of indebtedness prescribed by the Constitution of this Commonwealth in compliance with the laws regulating the manner of increasing such indebtedness and may also fund any indebtedness incurred for the purpose aforesaid

(b) It may issue as evidence of such indebtedness registered and coupon bonds or either of them payable within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable semiannually which bonds shall not be sold at less than their par value and accrued interest

(c) The county may also levy and collect taxes on all taxable property in such county in addition to all other taxes for the purpose of paying such indebtedness and interest thereon The county incurring such indebtedness shall at or before the time of incurring the same make provision for a singing-fund to pay at maturity all indebtedness so incurred and interest thereon

Section 2780 To Be County Bridge Maintenance and Expenses All such bridges shall be county bridges and

the duty of maintaining the same shall except as otherwise herein provided devolve upon the county and the expense thereof shall be paid out of the general county funds provided for that purpose

Section 2781 Collection of Tolls to Pay Off Indebtedness Whenever it is necessary in the location construction or purchase of an bridge as provided for under this article to issue bonds in payment of same including the approaches thereto the damage sustained by the owner or owners of lands or buildings taken in the location construction or purchase thereof and including reasonable fees for necessary legal services required in such location construction or purchase the county commissioners may if the cost of such bridge is in excess of one million dollars ($1,000,000) assess supervise and collect tolls for the use of such bridge for all vehicle traffic as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same within thirty years from the date of the issue thereof and to pay also the costs and expenses of operating maintaining and repairing such bridge between the time of the location construction or purchase thereof and the date of the redemption of the last of said bonds to be redeemed by such tolls In no case shall any tolls be collected after the redemption of the original bonds issued

(d) Between Municipalities on Petition of Resident Taxpayers

Section 2791 Petition for Bridge or Culvert Appointment of Viewers Whenever any city and borough or township or any borough and township are separated by a river creek or rivulet the court of quarter sessions of the county in which said city and borough or township are situated upon petition by not less than twenty-five resident taxpayers of said county representing that the erection of said bridge or culvert over said river creek or rivulet is necessary for the accommodation and convenience of public travel and praying that the county shall appoint thre viewers from the county board of rivulet and between such city and borough or township shall appoint three viewers from the county board of viewers to view the locality suggested in said petition for a bridge or culvert and to make report of their proceedings to the court at the next term thereof

Section 2792 Duties of Viewers (a) The viewers after having given three weeks public notice in at least one newspaper published in the county nearest the locality of the proposed bridge or culvert of the time and place of their meeting and after having been severally sworn or affirmed to perform the duties of their appointment justly and with fidelity and a true report to make shall view the locality mentioned in the petition asking for their appointment

(b) If they shall find that there is occasion for a bridge or culvert as prayed for they shall proceed to locate the position for the same having due regard to the convenience and accommodation of public travel and the estimated or probable cost thereof

Section 2793 Report of Viewers The viewers shall make report of their proceedings to the next term of said court or at such other time as the court may direct and in their report shall state

First Who of them were present at the view and whether they were severally sworn or affirmed to perform the duties of their appointment justly and with fidelity and a true report to make

Second Whether the bridge or culvert desired is necessary for the accommodation and convenience of public travel and the estimated cost of the same

Third If their report is favorable to the erection thereof the place where they have located said bridge or culvert

If the report of the viewers favors the erection of a bridge or culvert they shall attach to their report a map or draft setting forth the location thereof

Section 2794 Proceeding Subsequent to Report of Viewers (a) Upon presentation of said report to the court if the court shall approve of the same it shall be confirmed nisi After such approval said report shall at once be presented to the county commissioners who shall either approve or disapprove the same If the report is approved by them and if no exceptions are filed thereto with ten days after its approval by the county commissioners the confirmation of the said court shall be made absolute and the county commissioners shall record the same as a county bridge or culvert and shall at once proceed to construct said bridge or culvert with the necessary approaches After its construction they shall maintain and keep the same in good repair at the expense of said county

(b) Should the county commissioners for a period of two years after presentation of said report to them following the confirmation nisi by the court neglect or refuse to approve or disapprove of said report then the court shall on application by any of the original petitioners for said bridge or culvert after due notice to the county commissioners if no sufficient cause be shown to the contrary order the confirmation of said report to be made absolute and direct that the same be recorded as a county bridge or culvert and that the commissioners shall at once proceed with the construction thereof and of all necessary approaches

Section 2795 Ground for Approaches For the purpose of securing the proper and necessary approaches for said bridge or culvert the commissioners of the county in which such approaches are situated if unable to procure suitable land therefor may enter upon and occupy sufficient ground for said approaches and may take injure and destroy the same in accordance with Article XXVI

Section 2796 County Commissioners May Purchase Bridges Already Erected (a) Is instead of building a new bridge the county commissioners can purchase any bridge already erected at a cost not exceeding ten per centum of what a new bridge can be built for they may make such purchase upon the recommendation of the viewers Such viewers shall also in their report file an estimate of the actual value of such existing bridge or what said bridge can be built for The amount expended by the county commissioners for such purchase shall not exceed the estimate filed by the viewers

(b) Any street car company having the right of passage over any such bridge shall continue to exercise said franchise after the purchase of such bridge by the county

Section 2797 County Commissioners May Borrow Money For the purpose of carrying into effect the provisions of this article the county commissioners are hereby authorized to borrow any sum of money not exceeding the constitutional limitation if necessary for the purpose aforesaid at a rate of interest not to exceed five per centum and to issue bonds therefor

(e) Joint Action of Counties or County and City

Section 2801 Building or Rebuilding Whenever it is necessary to erect a bridge on the boundary line between two counties either to take the place of an intercounty bridge which has become insufficient for any cause to accommodate public travel or to provide a new bridge where none has previously been such counties may jointly build or rebuild such bridge after first having obtained the approval of the court of quarter sessions in each county

Section 2802 Joining With City When such bridge is on the dividing line between two counties which is also the dividing line between one county and a city in the other county and such city has authority to build or rebuild such bridge or to join with any county therein said county may join with said city in the other county in building or rebuilding such bridge In such case the approval of the court of quarter sessions of the county so joining with a city only shall be required

Section 2803 Cost Status The cost of such bridge shall be paid in such proportions as shall be agreed upon by the two counties or by the county and city so joining Such bridge when built shall be an intercounty bridge and be subject to all provisions of existing laws relating to intercounty bridges

Section 2804 Taking of Lands Whenever in the construction of a bridge lands are taken in any county joining in such construction and damages are sustained by

the owner or owners of such lands the county commissioners in the county where the lands are located when possible shall enter into an agreement with such owner or owners as to the amount of damages to be paid to such owner or owners If a satisfactory agreement cannot be made as to said damages they shall be ascertained and paid in the manner and subject to the restrictions and procedure provided in Article XXVI of this act The damages shall in either event be paid by the county in which the lands are located

(f) Acquisition of Bridges

Section 2811 Purchase or Condemnation On petition to the court of quarter sessions by at least twenty taxpayers of any county wherein a toll bridge is situated representing that said bridge is necessary for the accommodation of public travel and that payment of tolls on such bridge is burdensome to the traveling public and praying that the same shall be taken as a county bridge and the approval of such petition of the court such county may purchase or condemn such toll bridge

Section 2812 When Price Cannot be Agreed Upon If the county desiring to obtain any such bridge with the approaches and appurtenances thereto is unable to agree with the owner or owners of the bridge upon the price to be paid therefor it may take and obtain the same in the manner and subject to the restrictions and procedure provided in Article XXVI of this act

Section 2813 To be Public Bridge Tolls or Rentals for Special Use Preservation of Existing Contracts Whenever any such bridge shall be purchased or condemned the county shall control maintain and use the said bridge as a public bridge free from tolls but it shall have power to charge tolls or rentals for the use thereof from railway telephone telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel Where contracts exist between such persons and the owners of the bridge such contract shall be preserved for the benefit of the county and shall be assigned thereto

(g) Acquiring and Rebuilding Bridges Privately Owned or Built by Public Subscription

Section 2821 Rebuilding When Destroyed or Abandoned The county commissioners of any county may take charge of or rebuild and reconstruct any bridge owned and maintained by corporations where the same has been destroyed by ice or otherwise within ten years or abandoned by the owner where such bridge crosses any stream or river running into or through such county

Any bridge used exclusively for vehicles and foot purpurposes over any stream or river forming the boundary line between two counties being on the line of a public highway or deemed necessary for the use of the traveling public and owned and maintained by corporations or by private persons or which was built by public subscriptions which has been destroyed by ice flood or otherwise at any time or which has been or may be abandoned and the site or location and piers and abutments no longer used by the owners may be rebuilt and maintained jointly as a county bridge by the county commissioners of such counties and the costs and expenses of such joint reconstruction shall be paid by the said counties respectively in the proportion of the population thereof as ascertained at the last census

Section 2822 Mandamus on Petition of Taxpayers if Commissioners Neglect or Refuse to Act If the commissioners of said county or counties shall neglect or refuse to act as herein provided then upon the petition or petitions to the court or courts of common pleas of fifty property owners and taxpayers residing in each city borough or townships in which the bridge is or was located said court or courts may issue a writ or writs of mandamus to said commissioners to proceed as provided by the preceding section Such petition or petitions shall set forth fully all the facts and shall be supported by the affidavit of five of said property owners and taxpayers

Section 2823 Procedure When Damages Cannot be Agreed On When said commissioners have taken any piers abutments approaches toll houses or other property necessary for the rebuilding and maintenance of any such bridge or have taken or impaired any rights or franches relating to the same and are unable to agree with the owners upon the amount of damages they may sustain by reason thereof such damages shall be ascertained and paid in the manner and subject to the restrictions and procedure provided in Article XXVI of this act

Section 2824 Borrowing Money and Bond Issue Authorized For the purpose of carrying into effect the provisions of subdivision (f) of this article the county commissioners are hereby authorized to borrow any sum of money not exceeding the constitutional limitations if necessary for the purpose aforesaid at a rate of interest not exceeding six per centum and issue bonds therefor and may levy and collect taxes on all the taxable property in the county in addition to all other taxes for the purpose of paying the principal thereof and interest thereon Said bonds shall be payable at the option of the commissioners of the county issuing the same aftre five years and within ten years from the date of issue

(h) Erected by Private Persons or by Public Subscription and Donated to County

Section 2831 Acceptance-Taking Charge of and Entering on Record as County Bridge The county commissioners of any county may accept take charge of and enter upon the reords as a county bridge any bridge over any stream or river running into or through any county which bridge has been erected and constructed at the expense of private persons or by public subscriptions and has been opened to free public travel used by the public and become necessary and convenient for the use of the public upon notice in writing of the persons who erected or caused the same to be erected or by the subscribers to the original subscription on which the money was raised to erect the same or the heirs or assigns of such persons or subscribers or by a duly authorized board of trustees representing such persons or subscribers of their desire to donate the said bridge to the county wherein the same is situated Where such bridge crosses a stream forming the boundary line between two counties the persons or their heirs or assigns subscribers or trustees representing them as aforesaid shall give notice in writing to the county commissioners of each of said counties of their desire to donate such bridge to said counties jointly

Section 2832 Procedure for Determining Necessity of Bridge Before said bridge is accepted by the county commissioners the question of its necessity shall be determined in the following manner The said county commissioners shall at the next term of the court of quarter sessions after receiving the notice present the same to said court and petition for the appointment of three viewers and where said bridge crosses a stream being the boundary line between two counties shall present the same to the court of quarter sessions of each county for the appointment of three viewers by each of said courts The viewers shall immediately fixe a time of meeting and give personal notice thereof to the county commissioners and to all other persons by publication in two newspapers published in the county once a week for two consecutive weeks the last publication of said notice to be not less than ten days priorto the meeting of said viewers At the time fixed for said meeting said viewers shall meet ta the bridge and after being sworn to perform the duties of their appointment with fidelity and according to the best of their judgment shall view the bridge and the approaches leading thereto and hear any and all persons interested therein and may if necessary adjourn to a subsequent time or times After a full consideration the viewers shall report to the court of quarter sessions by which they were appointed at the next session thereof Such report shall state that said viewers gave notice and were sworn as required herein that they met at the bridge in question and viewed the same together with the approaches leading thereto the condition of the bridge and whether or

not in their judgment the same is necessary and convenient to accommodate travel The report of said viewers shall lie over until the then next session of said court and if no exceptions to the proceedings be filed in the meantime the court shall onfirm said report absolutely The commissioners shall thereupon enter said bridge upon the records as a county bridge or joint county bridge as the case may be

Section 2833 Procedure if Exceptions are Filed In case exceptions to the proceedings provided in the preceding section are filed within the time therein specified the said proceedings shall stay until the exceptions are disposed of by the court in which they are filed If said exceptions are sustained proceedings de novo may be instituted at the next or any subsequent session of said court

Section 2834 Payment of Costs All costs shall be paid out of the treasury of the county The owners of said bridge shall pay the amount of said costs into the county treasury in all such cases as the court by order may direct and the county commissioners may require the owners of said bridges to file a bond together with their notice in a sufficient sum to secure the payment of the same

(i) Leasing of Toll Brilges

Section 2841 Leasing of Toll Bridges or Right to Use Same Whenever a toll bridge owned or maintained by a bridge company or corporation organized and existing under the laws of this Commonwealth shall span a river or stream in this Commonwealth and such bridge or any portion thereof is or shall be used solely by the public for general highway purposes or by the public for such purposes concurrently with the use of the same by any railroad company or street railway company engaged as a common carrier and the ounty commissioners of any county or of the respective counties interested shall by resolution declare such bridge or any portion thereof necessary for the accommodation of the public for general highway purposes and that the payment of tolls on such bridge is burdensome to the public using the same for such purposes then and in any such event any such county separately or such counties jointly shall have the power to enter into a contract with such bridge company or corporation whereby such bridge company or corporation may lease to such county or counties such bridge or such portion or portions thereof as may be used by the public for general highway purposes for the use of the same by the public for said purposes free from the payment of tolls at such rental or rentals and for such definite term of years not to exceed twenty (20) years in duration and upon such other terms and conditions as may be agreed upon and as the county commissioners of such county or counties shall deem reasonable and proper or enter into a lease with such bridge company or corporation providing for the use during a definite period not exceeding twenty years of any such bridge or any portion thereof by the public for general highway purposes free from the payment of tolls during the term of any such contract subject to the concurrent use of such bridge or any portion thereof by any railroad company or street railway company engaged as a common carrier and making use of the said bridge or any portion thereof which lease shall contain such terms of payment for such use by the public of such bridge or any portion thereof and such other terms provisions and conditions as may be agreed upon and as the county commissioners of said county or counties shall deem reasonable and proper

Section 2842 No Tolls to Be Charged No tolls shall be charged the public for the use of said bridge or any portion thereof for general highway purposes during the term of any such lease or any such contract

Section 2843 Payment of Rental and Expenses The rental or compensation to be paid to any such bridge company or corporation and the expense of maintenance and repair and any other expense and obligation shall be borne and paid by any such county or by the several counties respectively in such proportions as may be agreed upon by the county commissioners or the county oommissioners of the respective counties

Section 2844 Approval of Public Utility Commission Any such contract entered into under the provisions of this act shall be approved by the Public Utility Commission of the Commonwealth in the manner prescribed by law

Section 2845 Appropriations Tax Levies Indebtedness The several counties shall have power to appropriate money levy taxes and to incur indebtedness for the purpose of complying with the provisions of any contract entered into under the provisions of this article

(j) Joint Action with Municipalities

Section 2851 City Bridges Benefiting Neighboring Townships Whenever different parts of any city or any part of such city and any township bordering thereon are separated therefrom by any intervening valley or ravine and the county commissioners of such county shall decide it necessary that a public bridge for the purpose of connecting the territories thus separated be constructed and that such bridge will be of substantial advantage and benefit to the taxable inhabitants of the township bordering thereon or townships adjacent thereto such county may contract with such city for the laying out and construction by such city of such bridge and may pay to the city such portion of the cost thereof as the county commissioners shall deem reasonable and shall appropritae money levy taxes and incur indebtedness therefor

Section 2852 Municipal Bridges Where County Might Have Built Bridge Where under the provisions of existing laws a city of the third class a borough or a township of the first class is authorized to construct a bridge or viaduct over a river creek or stream or other place over which the county is authorized to build bridges and such municipality is authorized to contract with the county and with railroads street railways and other companies or parties interested for the building and maintenance of such bridge or viaduct and for the payment of any damages caused by the location or erection thereof the county commissioners may with the approval of the court of quarter sessions contract with such city borough or township for that part or portion of the bridge or viaduct which crosses any of the places hereinbefore mentioned including the abutments and piers thereof Such part shall thereafter be maintained as a county bridge In lieu thereof the county commissioners may with the approval of the court contract for any part or portion of the whole structure equal to or greater than the part or portion which the county might have built

Section 2853 Contribution Where County Might Not Have Built Bridge When such bridge or viaduct is built by a borough or township of the first class and does not cross any place over which the county is authorized to construct a bridge but crosses merely railroad or railroads and private property the county commissioners may subject to the approval of the court of quarter sessions contract to pay an amount of money not exceeding thirty per centum of the entire cost of th proposd bridge or viaduct Such bridge or viadut shall thereafter be maintained as a broughc or township structure and the county shall not be liable for any part of the cost of maintenance or repair thereof

Section 2854 Stipulations of Contracts The contracts herein provided for may stipulate that the county shall pay a certain part or portion of the whole contract price or cost of the work including damages or may stipulate that the county shall construct or pay for the construction of a certain part or portion of the work and may otherwise provide for the payment of the damages The amount to be paid by the county shall be paid directly to the contractor as may be provided by the contract The agreements may also provide for the maintenanct of the viaducts and bridges after their erection

Section 2855 Contracts for Work After any such contract has been entered into the county commissioners in conjunction with the city borough or township shall have prepared plans and specifications of the entire work and

shall advertise for bids and award the contract to the lowest responsible bidder Such contract shall provide that the county shall pay its certain part of such bridge or viaduct directly to the contractor The contractor shall have a right of action against the county for the part of the contract which the county agrees to pay

Section 2856 Contracts May be Recorded Any of the contracts hereinabove provided for may be recorded in the recorder's office Such record shall be notice to all persons who might be affected thereby

Section 2857 Purchase or Condemnation of Public Toll Bridges Where under the provisions of existing laws a borough or other municipality may purchase condemn and maintain any toll bridge crossing any river or stream within the limits of such borough or municipality and may enter into contracts with the county commissioners whereby the county shall pay a portion of the costs thereof the county commissioners may upon petition of at least twenty taxpayers of the county to the court of quarter sessions and the approval thereof by the court enter into such contract upon such terms and conditions as may be agreed upon for the purchase appropriation or condemnation of such bridge The contract may stipulate that the borough or municipality and county shall each pay a certain portion of the purchase price or the damage allowed by any condemnation proceedings and may also provide for the maintenance and repair of such bridge The amount to be paid by the county shall be paid into the borough or municipal treasury and shall be applied solely to the payment of such bridge

Article XXIX

Roads

(a) Authorization Construction and Maintenance

Section 2901 County Roads Establishment and Maintenance (a) The words defined in section 2801 of this act shall be construed to have like meanings when used in this article

(b) Establishing County Roads For the purpose of providing public roads specially constructed improved and maintained the county commissioners may upon approval by the court of quarter sessions originally lay out and open any road and take possession of and exercise control over any existing township road or part thereof and build and maintain roads as county roads within their respective limits They may at any time straighten widen extend and alter any such road or part thereof and vacate so much thereof as may become unnecessary and useless Any road so taken over or improved shall thereupon become a county road and be subject to the control and supervision of the county commissioners It shall be the duty of the county to keep and maintain county roads established under this act and all other county roads in repair the expense thereof to be paid by the county in the manner hereinafter provided

(c) Acquisition of Rights of Way of Abandoned Railroads The commissioners of the county may take over any abandoned rights of way or bridge of a railroad company or any part thereof for the purpose of relocating any existing or locating a new county road and they may purchase such abandoned right of way or bridge or such part thereof as may be necessary for the relocating or locating of said county road from the owner thereof at a fair price to be approved by the court of quarter sessions of the county

Whenever any such abandoned right of way or bridge of a railroad company or any part thereof is purchased under the provisions of this section a county road shall be laid out and located thereon and shall thereafter be constructed improved and maintained in accordance with law Any such bridge so taken over shall become a county bridge and shall be maintained rebuilt and repaired accordingly

(d) Joint Action by Counties The provisions of this article may also be exercised jointly by adjoining counties as to roads extending along and adjacent to county lines and from one adjoining county into another

The procedure and jurisdiction in each county in such cases shall be the same as to any portion of such road lying within its limits except that the petition plans and surveys of such road shall describe and exhibit every portion of such road within the limits of such county and every portion thereof extending along the line of or into an adjoining county The several portions thereof lying within limits of each county shall be treated in all proceedings as one continuous road

(e) To Be County Road as Soon as so Decreed All roads and parts thereof heretofore and hereafter decreed by the court under this or any former acts of Assembly to be a county road shall be subject to the control and supervision of the county commissioners Upon the decree or order making an existing township road or part thereof a county road the same shall immediately be kept in repair made constructed and maintained by the county and the township relieved of any duty thereto as a township road

(f) Maintenance and Repair of County Roads The commissioners shall have prepared plans and estimates as often as required for the repair and maintenance of all roads which the county is required by law to maintain and repair They may invite proposals for maintaining and repairing such roads or parts thereof in accordance with such plans and estimates and award the contract therefor in like manner as contracts for new improvements or they may make the necessary repairs themselves For the purpose of making such repairs the commissioners may employ or appoint the proper persons and buy the necessary materials and buy or rent the necessary machinery The county may also lease any of its machinery to any political subdivision within the county upon such terms and conditions as may be agreed upon

(g) Annual Tax The commissioners may levy assess and collect an annual tax of not more than two mills upon the dollar upon all real and personal property within said county taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in the locating opening building improving widening straightening extending maintaining repairing or vacating of roads or parts thereof covered by the provisions of this section and for the taking and use of such land as may be necessary in constructing and maintaining proper slopes embankments fills and culverts The moneys so raised shall not be expended for any other purposes than those named in this section except for the maintenance repair construction and reconstruction of any county bridge or bridges whether or not located on a county road or roads All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued in the manner provided by this act upon estimates which shall be made from time to time by the persons charged with such duty The amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work

(h) Borrowing Money Bond Issue and Tax Levy The county commissioners may borrow money and secure any indebtedness created by them for the purposes authorized under this section by issuing bonds in accordance with the provisions of the Municipal Borrowing Law

(i) Changing Part of Road Without View Whenever the board of commissioners deem it advisable to construct or alter any part of any road under their supervision and can agree with the property owners affected by such change as to damages they may upon payment of the damages agreed upon construct or alter such part of such public road as contemplated in such agreement without the formality of a view This authority shall not extend to any construction or alteration the costs and expenses of which to such county including damages shall exceed one thousand dollars ($1000) A petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be the

public road to all intents and purposes and the old location shall be vacated

(j) Assessment of Benefits Whenever in the county any road or highway shall be originally located laid out or constructed or relocated opened straightened widened extended or altered or any part thereof vacated the viewers appointed to assess damages for taking injuring or destroying property after having determined the amount of damages sustained shall assess the whole or such part of such damages as may be represented by benefits upon the properties abutting on and benefited by such improvements The remaining part of such damages if any not so assessed against the abutting properties shall be paid by the county The total assessment for benefits shall in no case exceed the total damages awarded and agreed upon

The viewers shall in such cases file their report showing the balance struck between the damages awarded and the benefits assessed

(k) Interest on Benefits Assessed All assessments for benefits shall bear interest at the expiration of thirty days after they have been finally determined and fixed and shall be payable to the treasurer of the county

(l) Liens for Benefits Assessed All liens for the assessment of benefits pursuant to the provisions of the two preceding subsection shall be filed revived and collected in accordance with law

No appeal taken shall prevent the filing of liens by the county for any assessment made by virtue of the viewers' report but upon the final determination of the issue the court may make such order as to any lien filed that shall appear right and proper

(m) Sidewalks Along County Roads Whenever considered necessary for the safety and accommodations of the public the county commissioners may locate construct and maintain sidewalks along county roads The cost of the construction and maintenance of said sidewalks shall be paid by the county

(n) Lights Along County Roads Whenever considered necessary for the safety and convenience of the traveling public the county commissioners may supply and equip any county road or parts thereof with lights of such kind as they shall deem necessary The commissioners may for this purpose contract with any individual or with any municipal or private corporation The cost of the construction may and the cost of maintenance of the sail lights shall be paid by the county

Section 2902 System of Main Thoroughfares in County (a) Adoption of System The county commissioners may in the manner provided by this section cause to be laid out surveyed and adopted a system of main thoroughfares which said board shall adjudge the proper roads to be established and specially constructed and improved In adopting such system the commissioners shall consider the population and needs of all parts of the county and make an equitable distribution of the roads to be specially constructed located and improved by the said county They shall cause a plan to be made showing said system of proposed roads the relation of the proposed roads to existing public roads which connect therewith or are to be supplied thereby the names of abutting property owners and also roads which already have been improved by the county Upon approval of said plan or plans by the commissioner they shall cause said approval to be engrossed upon said plans and certified by at least two commissioners Said plans shall be filed for public inspection in the office of the commissioners and recorded in the office of the recorder of deds in a book to be provided for the purpose

No part of the proposed roads of said system shall be an easement upon private property or in any manner interfere with the use thereof until established as a public road by the action of the court of quarter sessions

(b) Improvement of Borough and Township Roads Whenever such system of main thoroughfares has been adopted or when the adoption thereof is contemplated within two years after the commencement of such improvement the commissioners may upon approval by the court of quarter sessions as hereinafter provided take exclusive control of and improve any road or section thereof located either wholly or in part in any borough or township whether existing by their authority or laid out in whole or in part by virtue of this act or otherwise For that purpose they may originally locate lay out establish in whole or in part relocate straighten widen extent alter and open roads and construct and improve the same and vacate so much of any roads as may be thereby rendered unnecessary and useless Any road as established or altered constructed and improved under the provisions of this subsection shall by ordinance enacted by each borough or by resolution adopted by the commission or supervisors of each township through which such road shall pass become borough or township roads and the duty of maintaining and keeping the same in repair shall devolve upon each respective township or borough through or into which the same extends

(c) Plan of System to Be Followed Variation After such plans have been adopted and recorded pursuant to law all appliations under the preceding subsection to the court of quarter sessions shall be restricted and shall relate only to the established opening construction and improvement of the proposed roads of said system or part thereof and the vacation of roads supplied by the portion opened and improved The commissioners upon approval by the court of quarter sessions as hereinafter provided may relocate straighten widen extend alter and open construction and improve the proposed roads as laid out surveyed marked and shown upon the plans of said system or to originally locate lay out and establish construct and improve roads which substantially supply said system or parts thereof which although not parts of said system are deemed by the said court to be main thoroughfares of sufficient importance to be improved by the county and to be added to said plan and in such case to vacate so much of the roads of said system and of roads already established as may be rendered unnecessary by the changes or by an entirely new location

(d) Improvement of Roads Not Part of System on Contribution From Parties Interested The commissioners may also originally locate lay out and establish in whole or in part relocate straighten widen extend alter and open construct and improve roads not parts of said system nor deemed main thoroughfares upon parties interested threin paying or securing to be paid in a manner to be approved by the court of quarter sessions such proportion of the cost of the original construction and improvement as the commissioners may deem just which shall not be less than one-fourth of such cost in any case

(e) Annual Tax The commissioners may levy assess and collect an annual tax of not more than two mills upon the dollar upon all real and personal property within the county taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in locating opening widening straightening extending building improving maintaining repairing or vacating of the roads or parts thereof improved under the provisions of this section and for the taking and using of such land as may be made necessary in constructing and maintaining proper slopes embankments fills and culverts The moneys so raised shall not be expended for any other purposes than those named in this subsection All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued in the manner provided by this act upon estimates which shall be made from time to time by the person charged with such duty and the amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work herein authorized

(f) Borrowing Money and Bond Issue Any county may borrow money and secure such indebtedness by issuing bonds in accordance with the provisions of the Municipal Borrowing Law for the purpose of building and improving the roads or any part thereof constructed under the provisions of this section

Section 2903 Providing Roads Tunnels Subways and Underground Roads (a) Whenever the county commissioners shall deem it expedient so to do and upon the

approval thereof by the court of quarter sessions as hereinafter provided they may cause to be purchased located constructed operated and maintained roads tunnels subways or underground roads anywhere within the county either wholly or partly within the boundaries of any city borough or township Any road tunnel subway or underground road purchased or constructed under the provisions of this section shall forever thereafter be a county road tunnel subway or underground road and the duty of maintaining and keeping the same in repair shall devolve upon the county The expense thereof shall be paid by the county as hereinafter provided

(b) Contracts or Lease for Special Use of Improvements The commissioners subject to the approval of the court of quarter sessions may make a contract or lease with any street railway or transportation company its successors and assigns for the concurrent use of such a portion of said road tunnel or subway or underground road as shall not substantally impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon No such contract or lease for the concurrent use of a portion of such improvement shall be for a longer term or period than twenty years Any such contract or lease shall be made in accordance with applicable provisions of the Public Utility Law

(c) Taking Street or Other Property of City or Borough Should the commissioners of the county deem it necessary or advisable to enter upon or appropriate any road or property of any city or borough in the county or take any other action affecting the property rights or authority of such city or borough for the purpose of constructing or maintaining a road tunnel subway or underground road or in connection with the improvement of any of them which has been or is about to be purchased by the county or otherwise the consent thereto of such city of borough by ordinance shall be obtained before the actual entering in or upon or the appropriation of such road or property After such entry and appropriation the county shall be liable and charged with the supervision control and maintenance of said roads and properties or so much thereof as is taken and used for the purpose of constructing and maintaining such road tunnel subway or underground road or in connection with the improvement of any of them purchased or to be purchased as foresaid

(d) Annual Tax Levy The commissioners may levy assess and collect an annual tax of not more than two mills on the dollar on all real and personal proprety within the county taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in the purchasing improving locating opening constructing maintaining and repairing roads tunnels subways and underground roads purchased or constructed under the provisions of this section and the taking and using of such land as may be made necessary in constructing the same and in maintaining proper slopes embankments approaches and termini for said roads tunnels subways and underground roads The money so raised shall not be used or expended for any other purposes than those named in this subsection All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued in the manner provided by this act upon estimates which shall be made from time to time by the person charged with such duty The amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work herein authorized

(e) Borrowing Money and Bond Issue The county may borrow money and incur indebtedness in accordance with the provisions of the Municipal Borrowing Law to an amount not exceeding the constitutional limitations for the purchase and improvement or construction of such roads tunnels subways and underground roads

Section 2904 General Provisions (a) Procedure to Obtain Approval of Quarter Sessions When the county commissioners resolve to exercise any of the powers conferred in subdivision (a) of this article they shall cause to be prepared surveys and plans of such road or tunnel subway or underground road showing the improvement proposed to be made together with any proposed changes in existing roads and they shall present such surveys and plans together with their petition on behalf of the county to the court of quarter sessions praying for approval of such propsed exercise of powers Such petition shall briefly describe the proposed improvement and the estimated cost thereof and if the method of construction has not been fully determined the estimated cost thereof according to each of the several methods in which the improvement may practically be made

On the filing of such petition the court shall fix a time for a hearing thereon Notice of said hearing shall be given by an advertisement published at least ten days prior to the hearing in two newspapers of general circulation in the county which notice shall briefly describe the location of the improvement proposed to be made and the time place and purpose of said hearing Upon the hearing thereof the court may for proper cause shown disapprove the petition otherwise it shall approve the same and order that said improvement be made and constructed in accordance with the plans and surveys accompanying the petition Thereupon any original location relocation opening widening straightening extension alteration or vacation of any road as set forth in said proceedings and the right to proceed with such improvement shall become absolute

The words "improved" or "improvement" as herein used mean each and every power conferred upon counties under the terms of any of the preceding sections of this article

(b) Right of Eminent Domain For the purposes described in this section the county commissioners may enter upon private or public property and may take injure and destroy the same in the manner and subject to the restrictions and procedure prescribed by Article XXVI of this act

(c) Contracts for Improvements After said surveys and plans and the petition to the court of quarter sessions have been approved by the court and the road tunnel subway or underground road ordered to be made and constructed in accordance therewith the commissioners shall invite proposals and let contracts for the making and constructing of the same or such parts of the same as the commissioners shall deem proper in accordance with the provisions of Article XX of this act and of sections 2518 and 2519 and such provisions of Article XXVIII of this act as establish additional requirements for advertising for bids for inspection of plans and specifications by bidders and for the dating and marking of bids filed

(d) Procedure Where Property is Left Without Outlet by Reason of Vacating of Part of Old Road Whenever by reason of the relocating opening widening straightening or extending of any road or any part thereof any part of the road involved becomes useless and is vacated and the property of one owner shall intervene between the new road and the lands of another owner having no outlet by reason of said relocation opening extending straightening and widening it shall be the duty of the said county commissioners to obtain from the owner of said intervening property and the owner of the formerly contiguous or adjoining land an agreement satisfactory to such parties for providing an outlet for the said land If the parties shall not agree to the transfer of the properties so intervening upon the new road and any such lot or piece of land in the opinion of the said county commissioners be insufficient for building purposes it shall be taken and used as part of said road or highway

(e) Parties Making Application for New Road to Notify Local Road Authorities In all cases wherein any proceedings are about to be had before the county commissioners or court for the laying out opening and construction of new roads for public use it shall be the duty of the parties making application to the commissioners or to the court for the appointment of viewers reviewers or re-reviewers to lay out open or construct such to

give written notice of such application to the supervisors or commissioners of the territory through which the proposed road is deisgnated to be laid out and constructed of the time and place of such application and of the time and place of the meeting of viewers reviewers and rereviewers A copy of said written notice properly attested shall be filed among the records of the court having cognizance of the matter Failure to comply with the provisions of this subsection as to such notice shall be sufficient grounds for an application to set aside whatever proceedings may have been taken of which said supervisors or commissions had no written notice

(f) Unlawful to Raise Road Above Ordinary Grade Over Drain or Culvert In the construction or repair of any road it shall be unlawful for the person or persons in charge of such construction or repair to raise such road or permit the same to be raised or elevated above the ordinary grade thereof when a drain or culvert shall be constructed under such road or when such road shall be constructed or repaired over such drain or culvert

Section 2905 Drains and Ditches In the construction reconstruction or maintenance of any county road or highway the county is hereby authorized and empowered to enter upon private property except the right of way of a railroad company for the purpose of constructing reconstructing or maintaining storm water drains ditches or channels and the inlets and outlets thereto

Section 2906 Damages for Entry on Lands Any damages sustained by the owner or owners of land entered upon by the county shall be paid by the county or counties within which said property is located The determination of the amount of damage shall be in accordance with existing laws relative to determination of damages for the location relocation construction reconstruction etc of county roads

Section 2907 Penalties for Injuring Drains etc If any person shall stop fill up or injure any such drain channel or ditch or the inlets or outlets thereto or shall divert or change the course thereof without any authority of the county or shall be responsible for the same and does not eliminate or remove such obstruction of or interference with said drains channels ditches etc upon ten (10) days notice in writing from the county so to do then and in that case such person shall upon summary conviction in an action before any magistrate alderman or justice of the peace be sentenced to pay a fine or penalty of ten dollars ($10) for every such offense together with the costs of prosecution and such fines as shall be imposed shall be paid to the treasurer of the proper county Every day's violation after written notice has been received by the proper person shall constitute a separate offense Provided however That nothing herein contained shall limit or deprive the said counties of any other remedy which they may now or in the future have in law or equity

(b) Vacation as County Roads

Section 2909 Vacation as County Roads Upon petition of the county commissioners the court of quarter sessions may vacate as a county road any portions of any abandoned or condemned turnpike road or any portions of any turnpike road purchased by the county or of any road the permanent location or improvement whereof has been ordered or made under this or former acts relating to county roads All portions of such roads so vacated shall become and be township roads if located within a township or shall become and be borough or city roads if located within a borough or city Written notice of the contents of said petition and the time when the same will be presented to the court shall be given by the county commissioners to the supervisors or commissioners of the township or townships or to the council of the borough or city through which said road passes at least ten days before the date of presenting the same At the time said petition is presented the court may fix a time for hearing in open court or may refer the matter to an examiner to take testimony and report his findings to the court at such time as the court shall direct At any hearing in open court or before an examiner appointed by the court all parties in interest may appear and be heard After such hearing the court if it shall find that the conditions prescribed by this act have been complied with may grant the prayer of the petitioners and make a decree accordingly or make such order in the premises as it deems right and just No order of vacation shall be made until the township borough or city affected shall have consented thereto by an ordinance or resolution certified to the court

(c) Continuous Highways from One County to Another

Section 2912 Laying Out Altering Vacating Roads forming or intended to form a continuous highway from one county to another which cross a river creek or rivulet forming a boundary line between said counties may be laid out or altered or vacated in the manner provided in the case of other roads except that the court of quarter sessions of each county shall appoint three viewers and that a report as aforesaid shall be made to each court respectively and that each court shall otherwise have and exercise concurrent jurisdiction therein

(d) County Aid to Municipalities and Townships

Section 2920 Municipal Streets Connecting Two Ends of County Road When a city or borough intervenes between two ends of a county road and the municipality has failed to properly improve the municipal streets constituting the shortest and most reasonable route through said municipality which will connect the two ends of such county road the board of commissioners may contract with the corporate authorities of the municipality that the shortest and most reasonable route through said municipality connecting the two ends of such highway be improved

Section 2921 Municipal Streets as Terminus of County Road When a county road terminates at the corporate limits of a city or borough in the same or in another county and connects with a municipal street which the municipality has failed to properly improve and the commissioners of the county in which the municipality is located deem the improvement of such municipal street necessary in order to make such county road easily accessible to the residents of the municipality or to the traveling public the county commissioners may contract with the corporate officials of the municipality that such municipal street or any part thereof be improved and also that there be improved when necessary any parts of the streets connected therewith which connect said county road with the business districts of said municipality or with a system of improved streets therein or which connect the said road with another county road terminating at the limits of said municipality If several municipalities are contiguous to each other and at the corporate limits of any one of them a county road terminates and one or more of such municipalities have failed to properly improve any municipal street therein and the county commissioners deem the improvement of such street necessary in order to make such road easily accessible to the residents of the municipality or to the traveling public the board of commissioners may enter into a similar contract with the corporate authorities of such municipality or municipalities

Section 2922 Improvements The board of commissioners may widen repave or otherwise improve said municipal streets whenever the same is necessary to accomplish any of the purposes of sections 2920 and 2921 of this act Whenever such improvement is made to a municipal street the county may pay the total cost of such improvement or the cost may be divided between or among the municipality or municipalities and the county The contract for any such improvement may be taken by the county upon the stipulation by any municipality to pay its proportionate share of the cost if any upon the completion of the work or it may be taken by any municipality upon a like stipulation of the county or the improvement may be made by joint contract

Section 2923 Maintenance Before any municipal street is so improved the board of commissioners and the council

of such municipality shall agree upon the maintenance of such street Such agreement may provide that such street shall be kept and maintained in good repair by the municipality in which case upon the completion of said improvement all further liability and responsibility of the county shall cease and determine or it may provide that it shall be kept and maintained in good repair by the county and the share of the muincipality shall be paid annually to the county

Section 2924 Contracts With Borough Township or Incorporated Town The board of commissioners may contract with the authorities of any borough or township separately or jointly providing that the commissioners shall construct an improved road in a similar manner as a county road The expense or cost of said construction shall be borne jointly by the borough township and the county in such ratio or proportions as may be agreed on in said contract or contracts irrespective of whether the municipality intervenes between two ends of the county road or not or whether or not the municipality is the terminus of a county road State highway or township road

Section 2925 Payment Payment for the construction of said road or roads shall be made by the county which shall be reimbursed by the borough or township in such sums as agreed upon in said contract or contracts upon presentation to them from time to time of estimates and bills for work already performed and paid for

Section 2926 Repair and Maintenance Any such road constructed jointly shall be repaired and maintained at the expense of the county but nothing shall prevent the authorities of a borough or township from entering into a contract or contracts with the county for the maintenance of said improved road under such terms and conditions as may be mutually satisfactory

Section 2927 Where Center Line of Highway is Boundary Between City or Borough and Township Whenever the center line of any road constitutes the dividing line between any city or borough and a township located in the same county the board of county commissioners and the commissioners or supervisors of such township may enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of the roadway of said road The cost thereof shall be borne one-half by the city or borough and one-half by the county and township in equal portions

Section 2928 Alteration or Improvement The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with laws governing the construction of such alterations or improvements in said city or borough and in further compliance with plans and specifications to be agreed upon in writing between the said city or borough and the board of commissioners of the county and commissioners or supervisors of the township The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 2929 Where Center Line of Road is Boundary Between City or Borough and Township in Adjoining County Whenever the center line of any road constitutes a dividing line between a township and a city or borough located in an adjacent county the board of commissioners of the county and the commissioners or supervisors of such township may enter into a contract with the city or borough providing for the grading curbing macadamizing or paving of the roadway of said road The cost thereof shall be borne one-half by the city or borough and one-half by the township and the county in which such township shall be situated in equal portions

Section 2930 Alteration Improvement and Repairs Said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the authorities of the city or borough in compliance with laws governing such construction or improvement by such city or borough and in further compliance with plans an dspecifications to be agreed upon in writing between such municipality and board of commissioners of the county and the commissioners or supervisors of the township The cost of repairs shall be borne one-half by the municipality and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 2931 Improvement on Order of Court of Quarter Sessions (a) In all cases in which it shall be found impossible to enter into such contracts or agreements or where either the city or borough and the township or the county in which such township is situated shall refuse to enter into such contract or agreement either the municipality or the county or township may present its petition to the court of quarter sessions of either county setting forth the facts and circumstances including the condition of the road from which the necessity and desirability for the grading curbing macadamizing or paving of the roadway appears and the estimated cost thereof and that the terms of such contract cannot be agreed upon by the municipality and county or township or either or any of them or that either such municipality or the county or township or any of them refuses to enter into such contract

(b) The petition may pray that the court after hearing all the parties concerned make its order or decree defining the nature and character of the improvement reasonably necessary or desirable to be made the roadway and requiring the parties hereinabove specified to enter into a contract or contracts for the making and constructing of the same as herein provided for A copy of said petition duly certified shall be served upon the municipality or county and township concerned other than the petitioner with notice of the day fixed by the court for the hearing Thereupon any of the parties served with such notice shall be entitled on or before such date to file in the court its answer to said petition setting forth its version of the facts or such other matters in relation thereto as may be deemed necessary or proper by it

(c) The court upon the date fixed or at such other time as it may appoint shall hear the evidence of the parties or it may refer the matter to a master who shall hear the testimony of the parties and report his findings in the same manner and under the same procedure as provided by the rules in equity in similar cases to the court which may reject confirm or modify the same and make its decree or order directing the making of such alterations or improvements to the roadway as may be deemel reasonably necessary or desirable and providing for the sharing of the cost of such improvements one-half by the municipality and one-half by the county and township in equal portions

(d) Said order or decree may further provide that the repairs to such alterations and improvements subsequently required shall be borne one-half by the municipality whether borough or city and one-half by the county or township in equal portions or such other proportions as between the county and the township as such court may find to be legal and proper Thereupon the grading curbing macadamizing or paving of the roadway of such road shall proceed in accordance with the decree or order of the said court in the same manner as if the contract or agreement had been entered into and duly executed

Section 2932 Guards or Barriers Along Township Roads When a otwnship road runs along the edge of a precipice along which it may be necessary to erect guards or barriers for the proper protection of the traveling public and the erecting of such guards or barriers requires more expense than it is reasonabl the township should bear the court of quarter sessions having jurisdiction shall on the representation of the supervisors or on the petition of any of the inhabitants of such township order a view If on the report of the viewers it shall appear to the court and to the commissioners of the county that such guards and barriers are necessary and would be too expensive for such township the same shall be erected and maintained by the county as county improvements The county and the township may contract to share the cost thereof

jointly The provisions of this section shall apply to roads already opened as well as those hereafter opened

Section 2933 Improvements of Roads Connecting with State Highway The county may singly or jointly with any city or borough appropriate and expend moneys for the improvements of any road not more than one mile in length in distance outside of the limits of such city or borough for the purpose of connecting improved streets in such cities or boroughs with a State highway

Section 2934 Purchase of Road Machinery Renting of Road Machinery to Townships The county commissioners of any county may purchase such machinery for the preparation of road material and the construction and maintenance of roads as they deem necessary and pay for the same out of the general funds of the county Such machinery may be rented by the county commissioners to any of the townships within such county applying for same under such regulations and at such rentals as the county commissioners shall prescribe and fix All machinery purchased under the provisions of this section shall be operated only by persons employed for that purpose by and under the direct supervision of the county commissioners

(e) Detours

Section 2940 Laying Out Detours When County Road is Closed (a) Except in the case of emergency wherein the safety of the public would be endangered no county road shall be closed to vehicular traffic except upon order of the county commissioners nor for a longer period than is necessary for the purpose for which such order is issued Except for temporary emergency police measures wherein the safety of the public would be endangered if it were not temporarily closed no county road shall be closed to vehicular traffic when the same has been designated as a detour by the Department of Highways of the Commonwealth unless the written consent of the Department of Highways has first been obtained or unless the county commissioners having jurisdiction over said road shall by resolution declare such closing necessary for the protection of the public safety

(b) Whenever any county road shall be closed to vehicular travel the board of commissioners shall immediately deisgnate or lay out a detour on which they shall cause to be erected and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway During the period when such detour is in use the county commissioners shall maintain such detour in safe and passable condition They shall also immediately remove all detour signs when the highway originally closed is again opened for araffic

(c) The county commissioners shall as soon as possible repair the road designated as a detour and place it in a condition at least equal to its condition when designated as a detour

(d) "Highway" as used in this act includes all public thoroughfares and ways equally with the word "road" for convenience of expression

Section 2941 Detour Over Private Lands Whenever necessary in the creation of a detour as aforesaid the county commissioners responsible for laying out the detour may enter into an agreement with the owners of private lands covering the acquisition of right of way privleges over private property for the period when the main highway shall be closed to traffic In the exercise of the rights conferred by this section the county commissioners responsible are hereby empowered to pay for the necessary maintenance subsequent repair and land rental out of such funds as are available for the construction and maintenance of the roads in their charge

Section 2942 Fine sand Damages (a) Any person who shall wilfully remove deface destroy or disregard any barricade light danger isgn detour sign or warning of any character whatsoever erected or placed under authority of section 2940 of this act or who shall drive on over or across any road which has been closed by proper authority shall upon conviction thereof in a summary proceeding before a magistrate alderman or justice of the peace be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than one hundred dollars ($100) and the cost of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid Provided however That persons who have no outlet due to the closing of a road may drive on over or across such road with the consent in writing of and subject to such conditions as may be prescribed by the county commissioners responsible for the closing or their agents or contractors without being subject to the fines imposed by this section

(b) In addition to the fines herein provided the county commissioners responsible for the maintenance of a road which has been closed to vehicular traffic or their agents or contractors may in an action at law recover damages from any person or persons who have damaged a road when it is closed to vehicular traffic

(c) All fines collected under the provisions of this section shall be paid by the officer receiving the same to the treasurer of the boroughs towns or townships in which the offenses shall have been committed

(f) Protection of Roads

Section 2950 County Road Caretakers The persons appointed by the board of commissioners to inspect and repair roads improved and maintained as county roads shall be designated county road caretakers The caretakers shall have all the power and authority now vested by law in the constables of the several cities boroughs and townships of this Commonwealth to keep the peace in and along the county roads of such county and to enforce all laws regulating the speed of automobiles and other vehicles thereon and to enforce all rules or regulations governing the use of such roads and to make arrests therefor

Section 2951 Caretakers Not Entitled to Fines or Penalties No such caretaker shall be entitled to any portion of any fine or penalty imposed upon any person or persons for any violation of any act of Assembly or rule relating thereto but all such fines and penalties when the proceeding is initiated by such caretaker shall belong to and be paid into the county treasury for the benefit of the county

Section 2952 Badge of Caretaker The board of commissioners shall furnish each of said caretakers as an evidence of his authority a badge having impressed thereon the words "Police ..... County Road Caretaker"

Section 2953 Rules for Protection of Road Penalty for Violation (a) For the purpose of preventing unreasonable wear and destructionof public roads improved and maintained by the county the board of commissioners may adopt and prescribe reasonable rules regulating and restricting the use of said roads within the county by any means of locomotion and prescribe pecuniary penalties for the enforcement thereof All such rules adopted by the board of commissioners shall before becoming operative be published once a week for three weeks in two newspapers of general circulation in the county to which the rules apply and be recorded in the office of the recorder of deeds of said county

(b) Any resident of the county within which the violation of any rule so adopted shall occur may institute and prosecute to judgment and execution an action of assumpsit in any court having jurisdiction of such actions and the amounts involved for the recovery of any penalty for the violation of any rule prescribed by the board of commissioners of which penalty the plaintiff shall be entitled to one-half and the county shall be entitled to the other half payable to the county treasurer who shall add the same to the fund for the improvement of said county roads

(c) Any person violating any rule so adopted shall upon summary conviction be sentenced to pay a fine of not less than five dollars ($5) or more than one hundred dollars ($100) payable to the county treasurer who shall add the same to the fund for the improvement of

said county roads From any judgment obtained for said penalty and from said summary conviction an appeal shall lie as provided by law

Section 2954 Penalty for Destroying Et Cetera Index Boards (a) It shall be unlawful for any person to wilfully destroy remove injure or deface any sign or index board erected upon or near any public street road or bridge by the authorities of any county or erected with the consent of such authorities by any club association or other organized body for the direction guidance or safety of travelers Any and all such signs of wood metal or other substance affixed to trees or posts in or upon any roads properly erected in such manner that they do not interfere with travel or upon fences telegraph telephone trolley or other poles with the permission of the owners thereof or upon private grounds where consent has been obtained from the owners and tenants thereof and which are close to roads shall be within the provisions of this section

(b) Any person violating the provisions of this section shall upon summary conviction be sentenced to pay a fine of not less than ten dollars ($10) nor more than twenty-five dollars ($25) with all costs of prosecution together with the value of such isgn so destroyed removed or defaced In default of payment of said fine costs and expenses such person shall undergo an imprisonment for a period of not less than five (5) nor more than sixty (60) days

Section 2955 Snow Fences (a) The county which is responsible for the maintenance of any road may enter upon private property adjacent to such road and place thereon snow fences at any point as may be deemed necessary to within a limit of one hundred feet from the right-of-way line of such road in order to eliminate snow drifting on the traveled portion thereof

(b) No snow fence authorized under this section shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

(c) If the county responsible for the maintenance of the road shall not be able to enter into an agreement with the owner of adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of the proper county for the appointment of viewers to ascertain the amount of damages incurred in such case The appointment of viewers and the procedure thereafter shall be governed and be in accordance with this act as provided for eminent domain proceedings Such damages if any when ascertained shall be paid by the county responsible for the maintenance of the road and any funds available to the county for the construction and maintenance of roads under their supervision shall be available for the payment of such damages

Section 2956 Elimination of Dangerous Curves and Widening of Narrow Roads The county may acquire by purchase or by the right of eminent domain such property and lands situate along or adjacent to any county road as in the opinion of the commissioners of such county may be necessary to eliminate dangerous curves and widen narrow roads for the better protection and safety to the traveling public

Upon any such purchase or condemnation the county commissioners having had such property and lands condemned may from time to time cause to be abated or removed any such dangerous curve or curves or widen such narrow road to the extent of the property and land so acquired

Proceedings for the condemnation of such property and lands shall be as provided in Article XXVI of this act

Article XXX

Recreation Places

(a) General

Section 3001 Acquisition of Land and Buildings for Recreation Places (a) The county commissioners may designate and set apart for use as parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or indoor recreating centers and as agricultural fairgrounds any lands or buildings owned by such county and not dedicated or devoted to other public use

(b) The county commissioners may also acquire lands or buildings for such purposes by gift purchase or may lease lands or buildings in such county for temporary use for such purposes

Section 3002 Equipment and Maintenance The authority to supervise build and maintain fairgrounds parks parkways bridle paths footpaths playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers may be vested in any existing body or board or in a park board or recreation board or fair board as the county commissioners may determine The county commissioners of the county may equip operate and maintain the fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers as authorized by this act and may for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

Section 3003 Fair Park and Recreation Boards (a) If the county commissioners shall determine that the powers to supervise fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or recreation centers shall be exercised by a park board or recreation board or fair board they may establish in said county such fair board park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the respective county commissioners Either such board when established shall consist of not less than five persons

(b) The members of such board shall be appointed by the commissioners of such county and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the terms of all the members shall not expire in the same year Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occurring othrwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 3004 Officers of Board The members of a fair board park board or recreation board established pursuant to this act shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may with the consent and approval of the county commissoners employ such persons as may be needed as authorized by this act Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction

Section 3005 Joint Action The county authorized by this act to acquire property for and operate and maintain any fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers may acquire property for such purposes and operate and maintain the same jointly with any other county or any city borough township or school district

Section 3006 Indebtedness The county ommissioners may issue bonds for the purpose of acquiring lands or buildings for fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers and for the equipment thereof

Section 3007 Payment of Expenses Taxation Annual Fairs State Contributions (a) All expenses incurred in the operation of such fairgrounds parks parkways bridle paths playgrounds playfields gymnasiums swimming pools public baths and indoor recreation centers established as herein provided shall be payable from the treasury of such county The county commissioners may annually appropriate and cause to be raised by taxation such

tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such county for the purpose of maintaining and operating such fairgrounds parks parkways bridle paths foot paths playgrounds playfields gymnasiums public baths swimming pools and recreation centers

(b) The county commissioners or the fair board if there be one may provide for and hold an annual fair agricultural exhibition on the fairgrounds acquired or maintained as aforesaid and may accept aid or contributions from the Commonwealth under the act of Assembly for the payment of premiums at any such fair or exhibition

(b) Parks

Section 3025 County May Provide Parks It shall be lawful for and the right and power is hereby conferred upon the county to enter upon take use and appropriate by the right of eminent domain and to acquire by purchase lease gift devise or otherwise private property for the purpose of establishing making enlarging extending operating and maintaining public parks within the limits of such county whenever the county commissioners thereof shall by resolution determine thereon

Section 3026 Eminent Domain Proceedings In all cases wherein the county shall enter upon take use and appropriate private property for the aforesaid purposes by resolution of the county commissioners if the compensation and damages arising therefrom cannot be agreed upon by the owners thereof in such county such compensation and damages shall be considered ascertained determined awarded and paid in the manner provided in this act for such proceedings

Section 3027 Title Acquired in Eminent Domain Proceedings In every case of the taking of property by eminent domain hereunder the county shall acquire the entire title whether in fee or otherwise held by the owner or owners of said property or of any interest therein

Section 3028 Improvements in Parks The county commissioners shall have the power to govern manage operate lay out plant and ornament the said public parks and to maintain the same in good order and repair and to construct all proper bridges buildings roadways lakes golf courses playgrounds and other improvements therein and to make rules and regulations for the conduct of the patrons thereof and to repress all disorders therein under the provisions hereinafter contained

Section 3029 Park Buildings The county commissioners shall have exclusive power to lease all houses cottages and buildings within the park limits which may be let without prejudice to the interest and purposes of the park and to collect the rents

Section 3030 Use of Receipts All rents license charges and fees all fines proceeds of sales exept of lands purchased and profits of whatsoever kind to be collected received or however realized shall be paid into the county treasury as a fund to be exclusively appropriated by the county commissioners for park purposes Provided That moneys or property given or bequeathed to the county commissioners upon specified trusts shall be received and receipted for by the county treasurer and held and applied according to the trusts specified

Section 3031 Penalties Any person who shall violate any of said rules and regulations which shall be ordained by the county commissioners for the government of said public parks not inconsistent with this act or the laws and Constitutions of this State and the United States the power to ordain which rules and regulations is hereby expressly given to said commissioners shall be guilty of a misdemeanor and upon conviction thereof shall pay such fine as may be prescribed by the county commissioners to be recovered before any alderman or justice of the peace of said county which fines shall be paid into the county treasury

Section 3032 Damages Forfeiture of Leases Any person violating any of said rules and regulations shall be further liable to the full extent of any damage by him or her committed in trespass or other action and any tenant or licensed party who shall violate the said rules and regulations or any of them or consent to or permit the same to be violated on his or her or their premises shall forfeit his or her or their lease or license and shall be liable to be forthwith removed by a vote of the county commissioners and every lease and license shall contain a clause making it cause of forfeiture for the lessee or party licensed to violate or permit or suffer any violation of said rules and regulations or any of them

Section 3033 Employes Police For the purpose of performing all necessary duties relating to the establishing making enlarging extending and maintaining public parks and for enforcing the rules and regulations ordained by the county commissioners for the conduct of the patrons thereof the said county commissioners are hereby authorized to employ or appoint and equip proper persons to do all necessary and proper work connected therewith including police duty the compensation of all persons so employed to be fixed by the salary board of the county

Section 3034 Duty of Police It shall be the duty of the police appointed to duty in said public parks without warrant forthwith to arrest any offender against the rules and regulations ordained by the county commissioners that they may detect in the commission of such offense and to take the person so arrested forthwith before a magistrate alderman or justice of the peace having competent jurisdiction

Section 3035 Indebtedness Taxation The county commissioners may issue bonds for the purpose of acquiring lands or buildings for parks playgrounds playfields gymnasiums swimming pools public baths or other outdoor or indoor recreation centers and for the enlargement extension and equipment thereof and may annually appropriate and cause to be raised by taxation such taxes not to exceed one mill on the dollar of the assessed valuation of taxable property in the county for the purpose of establishing making enlarging extending and maintaining same

(c) Fair Grounds

Section 3050 County May Take Title to Fair Grounds Where the owner or owners of any real estate with or without improvements thereon adapted to the use or purpose of public agriculture fairs or exhibits are willing to convey said real estate to the county wherein located to be held in trust for citizens and inhabitants of the county the county commissioners shall have the right to take title thereto and hold such real estate in trust for the benefit of the citizens and inhabitants of the county

Section 3051 Contributions Permitted The county commissioners of the county shall have the power to receive and accept contributions in buildings or materials for additional improvements on the real estate conveyed and held in trust as provided in section one

Section 3052 Leases The county commissioners may lease said real estate to any incorporated agriculture association willing and financially able to manage said premises on condition that said premises will be used annually for agritulture fairs and exhibitions each year without any liability on the part of the county and with no expense to the county Upon failure of any lessee to comply with the terms of any lease the county shall retake possession of the real estate

Section 3053 Sale of Unused Grounds If for a period of five years no public use of said real estate as contemplated by the grant to the county is made the county commissioners shall have power to sell such real estate on petition to the court of common pleas as provided by law for the sale of county property

Article XXXI

Fire Marshals

Section 3101 Appointments Qualifications Salaries Duties of Assistant Fire Marshals The county commissioners shall on the fourth Monday of March in the year one thousand nine hundred forty-three and every fourth year thereafter appoint a citizen of such county to serve as fire marshal thereof for the term of four years or

until his successor shall be appointed and two citizens of said county to serve as assistant fire marshals thereof for terms of four years or until their successors shall be appointed In making such appointments the county commissioner representing the minority political party in the county shall name one of the assistant fire marshals and as vacancies occur the commissioner representing the minority party shall name the successor to any assistant fire marshal selected by a commissioner representing the minority party No person shall be appointed fire marshal unless he shall have had ten years active service as a member of a fire department and no person shal be appointed as an assistant fire marshal unless he has had five years experience as an active member of a fire department The salary of the fire marshal and the assistant fire marshals appointed under the authority of this act shall be fixed by the salary board and shall be in lieu of all other salary or compensation from any source whatsoever The assistant fire marshals appointed as aforesaid shall have the same powers and shall perform the same duties as those prescribed for the fire marshal

The salary herein authorized shall be provided for by the county commissioners and paid semi-monthly out of the county treasury

Section 3102 Offices and Supplies The county commissioners shall provide the fire marshal and his assistants with suitable offices and shall pay or cause to be paid out of the treasury all the costs of maintenance thereof including clerk and stenographic hire and all necessary supplies stationery postage and other incidental expenses

Section 3103 Oath of Office and Bond Before entering on the duties of his office the fire marshal and his assistants shall take an oath of office and furnish bond as is now provided by law in the case of other county officers The bond of the fire marshal shall be in the sum of ten thousand dollars ($10,000) and the bonds of the assistant fire marshals shall be in the sum of five thousand dollars ($5000)

Section 3104 Attendance at Fires Duties and Powers Aid and Assistance Investigations The fire marshal or one of his assistants shall attend if practicable all fires occurring in the county and shall endeavor to save and protect from the fire all property in danger therefrom and to protect such property from loss by pillage and theft and from injury and destruction in any manner and he shall have power to take any measures he may deem proper and expedient for that purpose and he shall also have power to call upon any constable policeman or citizen of any city ward borough or township in the county to aid and assist him in protecting and saving property as aforesaid and to aid and assist in carrying into execution any measures he may deem proper and expedient as aforesaid and he shall investigate and if possible ascertain the origin and cause of every fire occurring in the county the nature and value of the property injured or destroyed thereby whether said property was insured or not and if insured the amount of such insurance by whom effected for whose benefit and by whom the risk was taken the name and places of residence of the owner or owners and of all parties interested in the property injured or destroyed and the nature and amount of such interest

Section 3105 Arrests and Commitment or Bail If in any investigation it shall appear to the fire marshal or one of his assistants from the evidence before him that any building or other property in the county has been wilfully set on fire by any person or persons he shall in such case have the same power to issue a warrant directed to any constable of any ward borough or township of the county for the arrest of such person or persons and their accesories and to commit them for trial or take bail for their appearance as a justice of the peace of the county would have upon information made before him setting forth the same facts as appear in evidence before the marshal and in such case the said fire marshal shall proceed in the same manner as a justice of the peace is required by law to do and with the same powers as he would have after an information duly made before him

Section 3106 Administration of Oaths False Testimony Subpoena and Attachment Refusal to Testify or Produce Documents The fire marshal or either of his assistants ini order to enable him to discharge the duties required of him in the foregoing section shall have power to administer oaths and affirmations in the discharge of the duties of his office and a wilful violation of any oath or affirmation so administered by him or wifully and knowingly giving false testimony before him shall be perjury and he shall have power to compel the attendance of any person whom he may desire to examine in relation to any fire by subpoena and attachment and if any person shall refuse to be sworn or affirmed or to testify in relation to any of the matters in regard to which it is the duty of the fire marshal to make investigation or shall refuse to produce before the fire marshal any books papers or documents in their possession which the said marshal may deem necessary to enable him to ascertain the truth in any investigation then being made by him the said marshal shall have power to commit such person to the county jail until such person shall be willing to and shall be sworn or affirmed or testify or produce the books papers and documents as the case may be and no longer Provided That no testimony taken under oath or affirmation before the fire marshal as aforesaid shall be used in evidence against the party giving it in any civil or criminal proceedings whatsoever except in prosecutions against such party for perjury

Section 3107 Disobedience of Orders Refusal to Execute Warrant Hindering or Obstructing Marshal Any constable policeman watchman or citizen who shall refuse or neglect to obey the orders or direction of the fire marshal when called upon by him to aid or assist in saving or protecting any property at any fire or any constable who shall refuse or neglect execute any warrant of the fire marshal directed to him for the arrest of any person for the crime of arson or any person or persons who shall wilfully hinder or obstruct or attempt to hinder or obstruct the fire marshal in the performance of his duties shall be guilty of a misdemeanor and upon conviction thereof in the court of quarter session of the county shall be punished by a fine not exceeding fifty dollars ($50) and imprisonment in the county pail for a term not exceeding one (1) year

Section 3108 Examination of Buildings and Structures Notice to Alter Remove or Amend It shall be the duty of the marshal or one of his assistants to examine the dwelling houses and any other buildings and structures in the county for the purpose of ascertaining whether by reason of age or dilapidated condition or accumulation of waste rubbish debris explosive or inflammable substance or existence of any other fire hazard such buildings or structures are especially liable to fire and upon finding any of them defective or dangerous said marshal or his assistants shall direct the owner or occupants either by printed or written notice to alter remove or amend the same in such manner or within such reasonable time as they may deem necessary and in case of neglect or refusal to do so the party offending shall forfeit and pay upon conviction thereof before any justice of the peace alderman or police magistrate of the county any sum not exceeding twenty-five dollars ($25) for the use of the county to be collected as fines and forfeitures are collected by law

Section 3109 Expense of Removal rAlteation or Amendment Combustible or Explosive Matter The expense of any removal alteration or amendment as aforesaid shall be paid in the first instance by the occupant but shall be chargeable against the owner of such dwelling house or other building and shall be deducted from the rent of the same unless such expenses be rendered necessary by the act of default of such occupant or unless there is a special agreement to the contrary between the parties and said marshal or his assistants or either of them are hereby empowered at any and all times to enter into and examine all buildings structures or places where any combustible or explosive matter may be lodged and

give such directions in writing in the premises as may be deemed necessary relative to the removal thereof and in case of neglect or refusal on the part of the possessor of such combustible materials or any of them to remove or secure the same within the time and manner directed the party offending shall forfeit and pay in addition to any penalty h reinbefore imposed the sum of twenty-five dollars ($25) to be collected as heretofore provided for in this act

Section 3110 Records and Reports The fire marshal shall keep a record of all fires occurring in the county which record shall show the results of his investigation in relation to each fire and shall be open to the public for examination and he shall also keep on file in his office all depositions and notes of testimony taken by him in the discharge of his duties which any person desirous or so doing shall be permitted to examine and take copies of upon payment by them to the said marshal of the fee of fifty cents (50c) for such examination and he shall also on the fourth Monday of March in each year make report in writing to the county commissioners of his activities as fire marshal during the year preceding his report

Article XXXII

Actions By And Against County

Section 3201 Commissioners to Bring and Defend Suits All suits by the county shall be brought and conducted by the board of commissioners In all suits against the county process shal lbe served upon and defense made by the board of commissioners Service shall be made upon the county in the manner prescribed by the Pennsylvania Rules of Civil Procedure for so long as the pertinent provisions of this section remain suspended by said Rules.

Section 3202 Form of Action to Recover Claims Jurisdiction of Justices of the Peace The County may proceed for the recovery of municipal claims by liens or by action of assumpsit Jurisdiction is conferred upon justices of the peace to entertain such actions of assumpsit to the amount of three hundred dollars ($300)

Section 3203 Competency of Witnesses and Jurors No person shall be excluded from being a witness or juror in any suit prosecution or proceeding in which the County is a party or is interested by reason of such person being or having been an officer rated citizen or inhabitant in the county or owning assessed or taxable property or being liable to the assessment or payment of any tax therein

Section 3204 Execution Against County (a) If judgment shall be obtained against the county in any action or proceeding the party entitled to the benefit of such judgment may have execution thereof as follows and not otherwise The court of Common pleas of the county against which judgment shall be obtained or the court to which a judgment may have been removed by transcipt from a justice of the peace or alderman on application of the party entitled to the benefit of such judgment may direct the issue of a writ thereon commanding the commissioners of the county to cause the amount of the judgment with the interest and costs to be paid to the party entitled out of any moneys of the said county which are not appropriated or pledged for any specific purpose and which are not required to meet the current operating expenses of the county during the then fiscal year If there be no such moneys then out of the first moneys coming into the hands of its treasurer which have not been appropriated or pledged to any specific purpose and are not required to meet the current operating expenses of the county during the fiscal year in which such writ issued If such judgment shall have been recovered on an obligation secured by a sinking fund payment thereof may be directed out of any moneys in the sinking fund

(b) If such judgment is not paid by the commissioners as directed by such writ they shall within fifteen days after service thereof make answer showing the reasons for not having made payment as commanded

(c) If it appear from said answer that the county does not have moneys not appropriated or pledged for specific purposes and not required for current operating expenses with which to pay said judgment and that it will not during the then fiscal year have sufficient funds not appropriated or pledged for specific purposes and not required to meet current operating expenses to enable the payment of such judgment or judgments the court after hearing shall direct the levy of a tax to be levied and collected during the succeeding fiscal year or years sufficient to pay such judgment or judgments

(d) In directing the levy of such tax the court shall take into consideration the number of judgments against the county and the writs issued and shall have power to decide during how many years the tax shall be levied but it shall not direct the levy of a tax for any one year in excess of one-half of one percentum of the assessed valuation of the taxable property of the county

(e) The taxes thus directed to be levied shall be levied by the commissioners at the same time the next levy for gneral county purposes is made and shall be levied and collected as other taxes are by law levied and collected but shall be listed in the duplicate as a separate tax and shall be kept distinct from all other of the county's funds and applied in payment of the judgment or judgments for which collection is directed as from time to time received but one levy may be made for the satisfaction of more than one judgment and the fund shall be applied to the satisfaction of the judgments in the order in which the writs were issued

(f) The court shall have the power to enforce by attachment or otherwise all orders and decrees entered in pursuance of the powers hereby granted

(g) All judgments and unpaid parts thereof shall bear interest at the rate of six per centum per annum but not compounded

Section 3205 Appeals in Behalf of County by Taxpayers Subject to the proviso hereinafter made any ten or more taxpayers of the county may in behalf of such county appeal from the report of its county controller to the court of common please or prosecute any suit or action in behalf of said county or defend such county in any suit process or action that may be brought against such county by appeals from county controller's report or otherwise If no appeal is entered by county officials the appeal by such taxpayers shall be entered within ninety days after the filing of such report in the court of common pleas All of the appellants shall enter into resognizance with two sufficient sureties conditioned that the appellants shall prosecute said appeal with effect and pay all costs that may accrue thereon in case they fail to obtain a final decision more favorable to the county than the report from which such appeal is taken In all such appeals the court of common pleas may direct an issue to be tried by a jury upon whose verdict final judgment shall be entered reserving the right of all parties to appeal to the Supreme Court or Superior Court as provided in other appeals Before said taxpayers shall be permitted to come into court and prosecute any suit or action or defend the county in any suit process or action they shall present to the court a petition signed by them accompanied by an affidavit of one of their number that they believe injustice wil lbe done the county unless they are permitted to defend Said taxpayers shall whenever the court shall deem it necessary file in said court of common pleas a bond with one or more sufficient sureties to be approved by said court to indemnify and save harmless said county from all costs that may occur in the suit process or action subsequent to filing the petition

Intervention by taxpayers to prosecute any action or suit on behalf of the county including an appeal already filed from the controller's report or to defend the county shall be governed by the Pennsylvania Rules of Civil Procedure for so long as the pertinent provisions of this section remain suspended by said Rules

Section 3206 Certain Procedure in Equity Not to Apply When County is Libellant Et Cetera The first section of the act of May sixth one thousand eight hundred and forty-four (Pamphlet Laws 564) entitled "An act further

to regulate proceedings in courts of justice and for the other purposes" shall not apply to any bill or proceeding in equity wherein the county is libellant plaintiff or complainant nor shall the county be required to give security on appeal to the Supreme Court or Superior Court in any proceeding in equity In all such cases it shall be the duty of the court in which the same may be pending as far as practicable to expedite the hearing and final determination thereof by such rules order or orders not inconsistent with the laws of this Commonwealth as justice and equity may require

Section 3207 Submission of Disputes to Arbitration It shall be lawful to include in any contract executed by or on behalf of the county a provision that any matter in dispute arising under the said contract shall be submitted to orbitration in accordance with the arbitration act of June sixteenth one thousand eight hundred and thirty-six (P. L. 715) or such sections thereof as may be set forth in such contract

The county shall have the right to agree to submit to arbitration any matter in dispute under any contract to which the said county shall be a party in accordance with the act of June sixteenth one thousand eighth hundred and thirty-six (P. L. 715) entitled "An act relating to reference and arbitration" or any section thereof as may be agreed upon whether or not the contract shall contain a provision providing for such reference

Article XXXIII

Acts of Assembly Repealed

Section 3301 The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

Section 78 of the act approved the fifteenth day of April one thousand eight hundred thirty-four (P. L. 537) entitled "An act relating to counties and townships and county and township officers" as to counties of the second class

The act approved the first day of April one thousand eight hundred thirty-five (P. L. 101) entitled "An act relative to the bonds of county treasurers in the Auditor General's office" as to counties of the second class

Sections 3 and 10 of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes" as to counties of the second class

Sections 1 3 and 7 of the act approved the third day of May one thousand eight hundred fifty (P. L. 654) entitled "An act providing for the election of district attorneys" as to counties of the second class

Sections 17 and 18 of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" as to counties of the second class

The act approved the twelfth day of March one thousand eight hundred sixty-six (P. L. 85) entitled "A further supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' so far as relates to the duties of district attorneys" as to counties of the second class

Sections 1 2 3 4 5 6 7 8 9 10 15 and 16 of the act approved the thirty-first day of March one thousand eight hundred seventy-sir (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" as to counties of the second class

The act approved the eighth day of June one thousand eight hundred eighty-one (P. L. 81) entitled "An act to authorize the courts of common pleas of this Commonwealth on sale of real estate by surety for the sheriff or coroner on application by petition to release the lien of recognizance on said real estate" as to counties of the second class

The act approved the twenty-seventh day of June one thousand eight hundred eighty-three (P. L. 163) entitled "An act providing for the satisfaction and discharge sheriff's recognizance" as to counties of the second class

The act approved the nineteenth day of April one thousand eight hundred eighty-nine (P. L. 38) entitled "An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth" as to counties of the second class

The act approved the thirteenth day of May one thousand eight hundred eighty-nine (P. L. 200) entitled "An act regulating the payment of traveling expenses of directors of the poor and county commissioners within this Commonwealth" as to counties of the second class

The act approved the twelfth day of June one thousand eight hundred ninety-three (P. L. 457) entitled "An act to provide for the erection maintenance and regulation of public morgues in the several counties of this Commonwealth for the care and disposal of bodies removed thereto and providing for the payment of certain expenses of the same by the proper county or district or by the estate of the deceased person and providing for the disposal of the personal effects of unclaimed dead" as to counties of the second class

The act approved the eighteenth day of June one thousand eight hundred ninety-five (P. L. 209) entitled "An act regulating the printing and publication of notices and advertisements authorized by the county commissioners of the counties of this Commonwealth containing a population of five hundred thousand and not exceeding one million as shown by the last United States census providing how newspapers shall be designated in which such publications shall be made and repealing an act entitled 'An act authorizing the county commissioners of Allegheny county to select four morning newspapers for official county advertising' approved the second day of April Anno Domini one thousand eight hundred and seventy-three and also repealing the tenth section of an act entitled 'A supplement to an act approved the first day of May Anno Domini one thousand eight hundred and isxty-one entitled "An act relating to Allegheny County" approved the eighth day of April Anno Domini one thousand eight hundred and sixty-two' " as to counties of the second class

The act approved the fourteenth day of April one thousand eight hundred ninety-seven (P. L. 22) entitled "An act making it the duty of the various county officials to furnish on demand therefor information from their respective offices to the head of any department of the State government and providing a compensation therefor" as to counties of the second class

The act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 285) entitled "An act authorizing the commissioners of the counties of the Commonwealth to transfer and cover into the general fund of the several counties any money now placed to the credit of any city borough or township upon any duplicate for taxes where the same has remained uncalled for during a period of ten years provided the right to the same is not in litigation or a matter of dispute" as to counties of the second class

The act approved the eighteenth day of April one thousand eight hundred ninety-nine (P. L. 56) entitled "An act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk of the county commissioners is elected by the people" as to counties of the second class

The act approved the twenty-first day of May one thousand nine hundred one (P. L. 271) entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand" as to counties of the second class

The act approved the fourteenth day of March one thousand nine hundred five (P. L. 37) entitled "An act to fix the salaries of district attorneys and providing for the appointment of assistant district attorneys in the

several counties of this Commonwealth having over eight hundred thousand inhabitants prescribing the powers and duties and fixing the salaries of the said assistant district attorneys" as to counties of the second class

Section 1 of the act approved the sixteenth day of April one thousand nine hundred seven (P. L. 92) entitled "An act defining the duty of coroners police and health authorities in this Commonwealth in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner" as reenacted and amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 710) insofar as it is inconsistent with the provisions of this act in counties of the second class

The act approved the twenty-second day of April one thousand nine hundred nine (P. L. 104) entitled "An act providing for the support and maintenance of law libraries in the counties of this Commonwealth" as to counties of the second class

The act approved the twenty-seventh day of April one thousand nine hundred nine (P. L. 242) entitled "An act providing for the payment to the treasurer of any County Soldiers' Memorial Association within the Commonwealth of Pennsylvania incorporated under the laws of the said Commonwealth of any moneys unexpended which were appropriated by the county commissioners of any county in the Commonwealth under the act of April third one thousand nine hundred and three to be used solely and exclusively for the erection or completion of any monument or memorial to the memory of the soldiers and sailors of American wars" to counties of the second class

The act approved the first day of June one thousand nine hundred eleven (P. L. 556) entitled "An act to fix the salary of the coroner of any county of this Commonwealth having a population of one million or over" as to counties of the second class

The act approved the eighth day of June one thousand nine hundred eleven (P. L. 717) entitled "An act relating to coroners and the holding of post-mortems in the several counties of the Commonwealth" as to counties of the second class

The act approved the twenty-seventh day of March one thousand nine hundred thirteen (P. L. 11) entitled "An act fixing the salary of controllers in counties having over one hundred thousand inhabitants where no provision for such salary has heretofore been made" as to counties of the second class

The act approved the fourteenth day of May one thousand nine hundred thirteen (P. L. 204) entitled "An act authorizing the board of county commissioners of the State to appropriate money for cooperative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties" as to counties of the second class

The act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 237) entitled "An act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings partition proceedings or by virture of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person" as to counties of the scond class

The act approved the twenty-fourth day of May one thousand nine hundred seventeen (P. L. 297) entitled "An act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds" as to counties of the second class

Section 2 and 3 of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 570) entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" absolutely

The act approved the eighth day of May one thousand nine hundred nineteen (P. L. 163) entitled "An act authorizing county commissioners to appoint county engineers and to fix their compensation and prescribing the duties of such engineers" as to counties of the second class

The act approved the thirteenth day of April one thousand nine hundred twenty-one (P. L. 132) entitled "An act authorizing county commissioners to appropriate moneys for the maintenance of duly incorporated organizations for the prevention of cruelty to animals" as to counties of the second class

The act approved the nineeeenth day of May one thousand nine hundred twenty-three (P. L. 283) entitled "An act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the courts on the law of this Commonwealth" as to counties of the second class

The act approved the twenty-first day of May one thousand nine hundred twenty-three (P. L. 295) entitled "An act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same" absolutely

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 973) entitled "An act providing for the payment by counties of expenses incurred by the district attorney and making such expenses a part of the costs of the case where the defendant is convicted" as to counties of the second class

The act approved the ninth day of April one thousand nine hundred twenty-five (P. L. 222) entitled "An act providing for the payment by counties and poor districts of the salaries of officers where pending the settlement of a dispute the salary paid to such officer was less than the amount to which he was legally entitled" as to counties of the second class

The act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 596) entitled "An act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof" as to counties of the second class

The act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 676) entitled as amended "An act providing for the burial of certain persons who have been or shall be soldiers sailors marines or members of the enlisted nurse corps designated as 'deceased service men' defining the term 'deceased service men' authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death and providing for the burial of widows of soldiers sailors or marines" as to counties of the second class

The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as to counties of the second class

The act approved the fifteenth day of May one thousand nine hundred twenty-nine (P. L. 1767) entitled "An act validating the action of the salary board of any county of this Commonwealth in providing additional assistants to the district attorneys in the respective counties when such appointments become necessary or on account of sickness of assistant district attorneys or on account of increased business or unusual conditions

or circumstances provided the salary for such appointees did not exceed the minimum salary provided for assistant district attorneys in the respective counties" as to counties of the second class

The act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1767) entitled "An act to fix the salaries of certain county officers in counties of the second class" absolutely

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 929) entitled "An act fixing the qualifications of deputy sheriffs in this Commonwealth" as to counties of the second class

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199) entitled "An act authorizing the boards of prison inspectors in counties of the second class of this Commonwealth to appoint jail chaplains and directing the salary boards of such counties to fix the salaries and compensation of such chaplains" absolutely

The act approved the seventh day of April one thousand nine hundred thirty-three (P. L. 29) entitled "An act requiring the board of county commissioners of counties of the second class on approval of the president judge of the court of common pleas of said counties to fix the compensation of fire marshals and to require the board of county commissioners of counties of the second class subject to the approval of the common pleas court to provide for use the retirement of such fire marshals on annual pensions after twenty years of service such compensation and pension to be payable by the county" absolutely

The act approved the twenty-third day of May one thousand nine hundred thirty-three (P. L. 962) entitled "A supplement to the act approved the third day of April one thousand nine hundred and three (P. L. 137) entitled 'An act regulating the confinement of children under the age of sixteen years awaiting trial' providing for the management of houses of detention for juveniles in counties of the second class imposing expense in connection therewith on the county and permitting and authorizing the county commissioners thereof to appropriate money or issue bonds for the purchase of lands or erecting constructing and equipping of buildings for such purpose' " absolutely

The act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1041) entitled "An act to safeguard human health and life in counties of the second class by providing for the licensing and regulation of persons municipalities and entities engaged in the transportation of garbage and in the disposal of garbage through the construction keeping maintenance or conduct of garbage disposal plants conferring powers and imposing duties on the county commissioners of such counties and otherwise providing for the administration of the act and imposing penalties" absolutely

The act approved the twenty-second day of December one thousand nine hundred thirty-three (P. L. 108) entitled "An act reducing to five days the period during which municipal subdivisions of the Commonwealth are required to advertise notice of proposed awards of contracts for articles to be used on projects financed by the Federal Civil Works Administration" as to counties of the second class

The act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 709) entitled "An act authorizing and empowering county commissioners of this Commonwealth of the counties of the second class within this Commonwealth to destroy certain public records" absolutely

The act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1047) entitled "An act to enable county commissioners in counties of the second class to issue sell and dispose of bonds to provide funds to acquire lands or buildings or to erect buildings or construct or make any improvements that may be deemed necessary by any corporation and body politic having the management and control of a work house and inebriate asylum" absolutely

The act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls" absolutely

The act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1595) entitled "An act relating to peace officers providing for the qualifications and appointments of deputy sheriffs regulating the manner of their selection and compensation regulating the source of compensation for other peace officers declaring void certain contracts inconsistent with the provisions hereof providing penalties and repealing inconsistent acts" as to counties of the second class

The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2612) entitled "An act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county any real estate and property appropriate for agriculture fairs or exhibits and to lease the same without expense or liability to the county to any incorporated agriculture association to operate and conduct an annual fair within the county" as to counties of the second class

The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2615) entitled "An act authorizing counties of the second class to provide for the issue and sale during any fiscal year of revenue bills whlch shall be negotiable and useable for the payment of taxes due for said year" absolutely

The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2618) entitled "An act authorizing any county of the second class and any city in any such county in which the county seat is within the limits of such city to agree upon the joint management and control of any or all city hospitals and institutions and any or all county hospitals and institutions within the county and providing for the appointment of a board of managers and professional staffs and employes and for the apportionment of costs and expenses" absolutely

The act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 205) entitled "An act authorizing counties of the second class to acquire property and erect thereon maintenance warehouse for roads highways bridges and tunnels by purchase or the exercise of the right of eminent domain providing for the acquiring of fee simple title thereto and the issuance of bonds therefor" absolutely

The act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgment recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" as to counties of the second class

The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 649) entitled "An act authrizing counties to convey or lease property needed or convenient as a site for a county courthouse to the General State Authority to acquire additional property for such purposes and to contract with and lease property from said authority" as to counties of the second class

The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 519) entitled

"An act relating to the bonds to be given by county officers their deputies clerks and assistants in counties of the second class the amount and conditions thereof the sureties for such bonds the payment of the premiums therefor and the recording and custody thereof" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 563) entitled "An act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious disease and to make appropriations therefor" absolutely

The act approved the twenty-eighth of May one thousand nine hundred forty-three (P. L. 793) entitled "An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for affectuating such regulations and providing penalties for the violation thereof" absolutely

The act approved the third day of June one thousand nine hundred forty-three (P. L. 821) entitled "An act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties" absolutely

The act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" absolutely

The act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 787) entitled "An act conferring upon counties of the second class power to enter upon private property and open and maintain drainage channels along county roads or highways and providing penalty for interference with such drains or ditches" absolutely

The act approved the twenty-eight day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" absolutely

The act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 300) entitled "An act authorizing counties of the second and fourth classes to establish fire training schools for the paid and volunteer firemen of municipalities within the county" as to counties of the second class

Section 3302 General Repeal All other acts and parts of acts are hereby repealed insofar as they are inconsistent with the provisions of this act

And said bill having been rad at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	Mallery,	Taylor,
Barr,	Hare,	McCreesh,	Toole,
Berger,	Harney,	McCusker,	Wade,
Blass,	Holland,	McGinnis,	Wagner,
Camiel,	Kephart,	McMenamin,	Walker,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Miller,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Letzler,	Silvert,	Wood,
Fleming,	Madigan,	Stevenson,	Yosko,
Freed,	Mahany,	Stiefel,	

NAYS—0

A mapority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendments:

Amend Sec. 1, page 2, line 1, by inserting after the figure "1" the following: "(A)"; Amend Bill, page 3, by inserting after line 2, the following "(B) If the electorate votes in favor of a constitutional convention a constitutional convention shall be held at Harrisburg, Dauphin County, Pennsylvania, in the hall of the House of Representatives beginning on the fifth day of January, one thousand nine hundred fifty-four, at eleven o'clock A. M. and shall conclude its sessions not later than the first day of July, one thousand nine hundred fifty-four

"Section 2. Delegates.—The convention shall consist of three district delegates elected at the municipal election in the year one thousand nine hundred fifty-three from each congressional district within the Commonwealth as such districts are constituted at the time of the primary election to be held in the year one thousand nine hundred fifty-three, and twenty delegates elected from the Commonwealth at large.

"Section 3. Delegates at Large.—The respective State committees of all political parties required by law to nominate their candidates for public office at primary elections shall nominate eleven candidates for delegates at large in accordance with the rules of the respective parties for the filling of United States senatorial vacancies.

"Any political body may circulate nomination papers to nominate ten delegates at large. The number of signatures required on said nomination papers shall be the same as are now required by the Pennsylvania Election Code and its amendments, for candidates of political bodies for Statewide officers. The nomination papers must

be filed not later than the tenth day of August, one thousand nine hundred fifty-three.

"Any person whose name has been presented as a candidate may cause his or her name to be withdrawn from nomination by request in writing, signed by him or her and acknowledged before an officer qualified to take acknowledgement of deeds, and filed in the office of the Secretary of the Commonwealth on or before the seventeenth day of August, one thousand nine hundred fifty-three. No name so withdrawn shall be printed upon the ballots.

"Any vacancy occurring in the nomination for delegate at large may be filled by the respective State committees as the rules of such State committee may prescribe for other State-wire vacancies.

"Delegates at large shall be at least twenty-one years of age and shall have been citizens and inhabitants of the Commonwealth for a period of four years.

"Each elector shall vote for not more than nine candates at the municipal election held in the year one thousand nine hundred fifty-three. The twenty candidates receiving the highest votes shall be delegates at large.

"Vacancies occurring in the office of delegate at large shall be filled by the constitutional convention from the Commonwealth at large.

"Section 4. District Delegates.—Two candidates for delegate from each congressional district shall be nominated from each poitical party in accordance with the rules of the respective political parties for the filling of Congressional vacancies.

"District delegates shall be at least twenty-one years of age, shall have been citizens and inhabitants of the State for four years and inhabitants of their respective districts one year prior to their election.

"Each elector shall vote for two candidates at the municipal election held in the year one thousand nine hundred fifty-three. The three candidates receiving the highest number of votes shall be the district delegates.

"Vacancies occurring in the office of district delegate shall be filled by the constitutional convention from the congressional district from which the delagate was elected.

"Section 5. Election Procedure.—The County Board of Elections shall certify the returns of the primary election and forward to the Secretary of the Commonwealth copies of the rturns so certified.

"Nominations, elections and returns of elections for all delegates shall conform to the provisions of the Pennsylvania Election Code and its amendments.

"The Secretary of the Commonwealth shall certify the return of said election to the Governor who shall issue a certificate of election to each delegate so chosen.

"Any vacancy occurring in the nomination for delegate at large or district delegate may be filled by the respective State committees as the rules of such State committees may prescribe for other State-wide and district vacancies.

"Section 6. Organization of Convention.—The constitutional convention shall be called to order by the Governor and shall immediately organize by electing a president, secretary and such other officers as shall be necessary for the transaction of its business. It shall have the power to adopt rules of procedure finally to determine the election and qualification of delegates and generally to adjourn to such time or times and such place or places as it shall determine.

"Section 7. Duties of Convention.—The said convention so elected, assembled and organized is authorized and empowered to make an intensive study of our present Constitution, discuss and consider the advisability of eliminating those provisions which have become obsolete, improving and strengthening those provisions which in its opinion should be retained and adding new provisions which may in its opinion be desirable in the drafting of a new Constitution. All changes, eliminations and additions shall be appraised on a basis or standard of what is best for the general welfare, health and prosperity of the people of the Commonwealth: Provided, That nothing herein contained shall authorize the said convention to change the language or to alter in any manner the several provisions of the first article of the present Constitution commonly known as the Declaration of Rights, but the same shall be excepted from the powers given to said convention and shall be and remain inviolate forever.

"The convention shall submit to the electors at the general election in the year one thousand nine hundred fifty-four a new Constitution and shall frame the question or questions to be placed on the ballots or ballot labels for adoption or rejection.

"The Constitution proposed and the question or questions to be voted on shall be certified by the president and secretary of the convention to the Secretary of the Commonwealth not later than the first day of August, in the year one thousand nine hundred fifty-four. The Secretary of the Commonwealth shall enter the proposed Constitution upon the records in his office and shall publish the same in at least two newspapers of general circulation, if there are such in every county of this Commonwealth, once during the week immediately preceding the election. He shall also publish it in convenient form and send a copy thereof to each elector requesting one and ten copies thereof through the County Board of Elections to each polling place for the use of voters during the election.

"Section 8. Adoption or Rejection.—The new Constitution proposed by the convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection in the manner provided by the election laws of this Commonwealth. The majority vote of the electors voting thereon shall determine whether the proposed new Constitution is adopted or rejected. The Constitution if adopted shall become effective as provided in the new Constitution or the schedule attached thereto.

"The Governor upon receipt of a certificate of the results of the election from the Secretary of the Commonwealth shall if the proposed Constitution has been adopted, immediately make the proclamation thereof.

"Section 9. Employes.—The convention shall have the power to employ and fix salaries of such secretaries, officers, attorneys, legal and technical assistants and other employes as shall be deemed necessary to carry out the provisions of this act.

"Section 10. The members of the constitutional convention shall receive a salary of two thousand five hundred dollars, payable in five equal instalments and an allowance for traveling expenses of five cents per mile circular per week for the session.

"Section 11. The members of the General Assembly, officers and employes of the Commonwealth are hereby declared to be eligible for election and to receive com-

pensation as delegates to the convention herein provided for, as well as being eligible for appointment as employes of the convention."

On the question,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, in order that the Senate might vote on these amendments intelligently, I want to call to the attention of the Senate exactly what the amendments do. The amendments which I have offered put House Bill No. 1 back in the form it was in when it came to the Senate from the House by a unanimous vote.

Mr. President, these amendments are essential and important for two reasons. The first reason is because I believe the committee overstepped its authority. I received a telegram from a well-known legal authority, which I would like to read to the Senate. It is addressed to your humble servant, and it is signed by Thomas Rayburn White, Committee Chairman on the Pennsylvania Constitution, of the Pennsylvania Bar Association.

"Amendments to House Bill No. 1 change original purpose in violation of Article III, Section 1, of the Constitution and in violation of pledge and platform of both parties. Approval of people would not require the Legislature to call a convention.

"Strongly urge restoring bill to the form in which it was submitted to committee."

Now, Mr. President, I believe all of us know Article III, Section 1, of the Constitution, which reads as follows:

Section 1, passage of bills and change of purpose;

"No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either House, as to change its original purpose."

Then we go into the Senate Rules, Mr. President, and on page 17 of the Senate Rules, Rule 18, dealing with amendments:

"No amendment shall be received by the President which destroys the general sense of the original section, clause, or paragraph. No amendment to bills by the House shall be concurred in by the Senate, except by the vote of a majority of the members," and so forth and so forth.

Now, Mr. President and Members of the Senate, this bill came to the Senate of Pennsylvania calling for a Constitutional Convention. Nowhere in the title of that bill, or nowhere in the body of that bill, did it say there was to be a referendum as to whether or not the Constitutional Convention should be called. Immediately this committee, when it changed the bill from its original form, took from the Members of the House the vote which they cast for a Constitutional Convention. There is nothing in this act, as it is now written, except a delaying action.

Mr. President, both parties definitely and irrevocably contained in their platforms to the people of Pennsylvania the following sections. I would like to read this section from the Republican Platform, adopted in 1951. However, first, Mr. President, I would like to call your attention to the statement made by the Governor of the Commonwealth of Pennsylvania. The Governor of the Commonwealth of Pennsylvania in his annual address to this General Assembly said the following:

"This Commonwealth needs a new Constitution. Our present Constitution is antiquated; restricts in large part the power of the General Assembly; and fails utterly to take into consideration the vast economic and political changes which have occurred since its adoption in 1873. Our present Constitution was adopted during a period when there was a great distruct of legislative bodies. I understand that other state constitutions adopted during this same period have all been abandoned in favor of more modern and enlightened documents eliminating outmoded details and restrictions.

"In recent years two different committees of the Pennsylvania Bar Association have recommended adoption of a new Constitution. Both major political platforms of 1950 recommended the calling of a Constitutional Convention to effect revision.

"No one with faith in democracy should fear a Constitutional Convention. The people alone will have the final word as to whether they will accept any proposed Constitution.

"I strongly urge this session of the General Assembly to provide for the prompt holding of a Constitutional Convention looking toward revision of our eighty year old Constitution."

Mr. President, part of the platform contained this:

"The structure of the present State Government was established in 1874. It is outmoded and archaic. It is inadequate to meet the needs of modern times. A new Constitution, dealing with the present day responsibilities and obligations of State Government, is necessary if we are to have a government operating in an efficient, businesslike manner."

Mr. President, we spent something like $100,000 on the so-called Chesterman Committee Report, and throughout that entire report you can read, line after line after line after line, a condemnation of the present Constitutional requirements in the Commonwealth of Pennsylvania. We can sit in this Senate and talk about economies and talk about revision of government and talk about administrative changes and administrative revisions which would mean something to the people economically, and here we have before us the vehicle with which to do it.

Mr. President, we have, however, allowed a committee of the Senate to change that particular vehicle to where today it does not do anything but offer to the people of Pennsylvania a sop. I do not blame the chairman; I do not blame any individual member of the committee, but I do say to the collective members of that commttee that you overstepped your propriety, you overstepped your jurisdiction, when you took this bill, passed by the House of Representatives, and now say to the Senate of Pennsylvania and to the people of Pennsylvania, "We are giving you Constitutional revision."

Remember, Mr. President, that if this State is to survive, if this State is to keep marching forward in its progress, it must have, sooner or later, and the sooner the better, a revision, and a complete revision, of the Constitutional provisions. Remember that we are tied up at this present time because of the inability of the Members of the General Assembly to agree upon a tax program.

Ever since I have been here, Mr. President, since 1935, every two years we have the same fight, because our Constitution so prescribes the actions of the General Assembly that it is impossible for the General Assembly to move freely in the field of revenue raising. Until we get to that point, you nor any other Member of the General Assembly can act intelligently upon revenue and upon expenditures. We have here a makeshift proposition presented to us, one which we have to either take or be

criticized for not taking, because the people have nothing better to which to look forward.

Mr. President, I want to say to all of you at this moment, if you accept and give to the people a Constitutional Convention of duly elected delegates, and they present to the people of Pennsylvania a Constitution based upon the living conditions of our modern world, I will say to you that we will answer a great many of the problems which have plagued us year after year, and year after year.

Mr. President, I have presented to the Senate for each individual Member to vote conscientiously upon whether or not he believes the people of Pennsylvania are honest enough and intelligent enough to come forward and give to themselves a new Constitution with which to work. Remember that we, the Members of the General Assembly, are not in any manner freezing ourselves into being the framers of this Constitution. We have nothing to do with it other than to pass the vehicle upon which the people may ride. I say to all of you Members of the Senate, particularly you Members who had something to do with the drafting of the platforms of both political parties, that you owe it to yourselves, to your political party and to the people, to live up to those platform pledges.

Mr. President, if we, as a group, known as politicians, have fallen to a new low in this Country, it is because year after year we have stood upon the platforms and promised the people great changes and great economies, and then we have come down to our respective political jobs and have forgotten completely about them.

We have stood before the people of this great Commonwealth, Mr. President, and we have said to them, "We will give you the opportunity to adopt or reject a new Constitution." That is exactly what you said to the people, and that is what we said to the people. However, you are not doing that with this vehicle. You are not doing anything of the kind. You are going to say, "Well, we are going to allow the people to vote whether or not they want a Constitutional Convention."

Mr. President, under that procedure I fear there never will be a Constitutional Convention. I want to say to you Members of the Senate that if the founding fathers had on more faith in the people, or no more courage as individuals than we have, you would never have had the Declaration of Independence nor the original Constitution of the United States of America, because there were great and strong forces then, a certain class of people who were against both of those great articles in the history of mankind.

Mr. President, the same forces today, under other names, are fighting on the inside against a convention. They are fighting against having the people speak for themselves, saying to the people of Pennsylvania, "You do not know enough to write a Constitution; we cannot trust the people." That is what we are saying if we pass this bill as it is now amended.

Mr. President, I say to all of the Members of this Senate that you would be better off voting "no" on the bill itself, which is nothing but a sham and a mockery, than to take it as it is. I ask you now, as men who believe in the political integrity of both political parties, to believe in yourselves. You must have faith in the people of this Commonwealth. You must know that no Constitution written so far back can possibly deal with the complexities of today.

Take the school problem of today, Mr. President, and try to initiate it into the Constitution as it was constituted when it was written. The problem today in our educational system is because we do not have the means with which to set up an adequate supply of revenues and an adequate system of education in Pennsylvania, without depriving either the local or the State Government of other necessary services.

Mr. President, we must sit down and prescribe the rules, new rules for a modern game. In every activity, whether it is in corporation practice, whether it is in the field of sports activities, whether it is in the field of legislative activities, as time goes on new rules have to be written. We prove that right here in the Senate every year. Every two years when we meet in this Senate, we put in bills amending acts which we just passed two years ago.

Mr. President, if the founding fathers, who created the original Constitution, were so awe-inspiring that they could not have made a mistake, then we do not need to pass any laws at all. Why do we meet every two years? Why do we have to change laws today that we just passed the early part of this Session? Before this Session adjourns sine die, we will amend some bills enacted in January. Yet, you stand there and tell me, by the action the committee has taken in this Senate, that those who wrote the Constitution in 1873 knew what they were doing. They knew what they were doing at the time, but they could not possibly have known what we were to do today and what we must do.

Mr. President, we must at least have the individual and personal courage to give to the people the opportunity to write their own Constitution. Those who write us letters one day and say to us, "Vote against this," and then, next week, they write us another letter and say, "Vote for this," they do not know; they are confused. If they are confused, how else can we be? I say to you that we have got to write a new Constitution. We must have the courage to come out and say flat-footedly that this Constitution is not adequate today. You cannot do it with this act as it is now amended. I said that it is a mockery and a joke, and it is. The House of Representatives will never accept it if you send it over to them in its present form. I do not believe that they can possibly, in honor hound, take this amended "critter" and pass it back to the Senate and say, "We agree with you." I do not think that the Members of the Senate here ought to be held up to the people of Pennsylvania as a group of willy-nilly, weak-livered, spineless "critters" who do not have the courage to live up to the platform plank on which they ran for election.

Mr. President, when I subscribed to the platform of the Democratic Party, I fully meant then, and I fully mean now, to stand up on every occasion to vote for any bill that keeps me in line with that platform. I think that every Member on the other side was just as honest when he was a candidate and if he was not, then he should stand before the people, and say that he repudiates the Republican platform makers and he should do that publicly. If he votes for this bill, that is exactly what he is doing. He is saying that the people who framed the platform of the Republican Party were a group of fakers, they were a group of dishonest persons, they never in-

tended the people to have a Constitutional Convention and they prove it by giving you this bill today.

Mr. President, I say to you that the eighteen Democratic Members of this Senate ran on a platform calling for a Constitutional Convention, and every man in this group will vote one hundred per cent for these amendments because he is honest, he is honest in his belief that his party is honest. I think that this is the time when political parties must prove their integrity. I ask all of you to consider deeply the problem before us, and to consider the amendments.

Mr. WALKER. Mr. President, I deeply appreciate the argument of the gentleman from Westmoreland with regard to the need for a new Constitution. I think that there is a lot of merit in many of the things which he said. I know that he will forgive me if I bring the discussion back to House Bill No. 1, which is the problem now before the Senate.

As you know, Mr. President, the bill was amended by the committee in the Senate to present first to the people the question, "Do you want a new Constitution?" If the people answer that in the affirmative, then the machinery necessary will be set up by the General Assembly in order to have the drafters of the new Constitution ready, and have them prepare a document to then submit to the people.

Mr. President, here on the floor of the Senate, as there is all over Pennsylvania, there are two distinct schools of thought. One is as to whether or not the people should first voice a determination as to whether or not they want a new Constitution and then submit the document to them. The other school of thought is that we should prepare the new Constitution and say to the people of Pennsylvania, "Here it is, do you want it?"

Now, Mr. President, there has been a lot of discussion, not only in the legislative halls but in political science groups all over the Commonwealth, as to the better method of presenting this to the people. As you know, Mr. President, this is not a new problem. This problem has been presented to the people of Pennsylvania before, and they have reacted in various ways to it. In support of the first premise, that is that the people should first determine whether or not they want a new Constitution, the argument has been advanced, and very ably advanced, that the cost of preparing a new Constitution will be in the neighborhood of $750,000. If that money is appropriated and expended for a new Constitution, and then the people vote "no" on the new Constitution, you would have a lot of money thrown away.

Mr. President, I am in accord with the gentleman from Westmoreland. I think it would be a fine thing if we had a new Constitution, but there are many things that I would like to have written into it that perhaps he would not agree with and vice versa.

This method of presenting it, as we now have it in House Bill No. 1, is not new. Mr. President, the problem always arises, "Do the people of Pennsylvania want a new Constitution?" Now, it is not up to the Senator from Westmoreland or the Senator from Allegheny to determine that. It is up to the people.

Mr. President, the reaction to House Bill No. 1 has been received with various degrees of approval all over Pennsylvania. I was somewhat concerned about the bill because of the question as to whether or not the original intent of the bill had been changed. I also received a telegram from that very distinguished member of the Philadelphia Bar, and I have no desire at this point or at any time of engaging in a legal controversy with such a very capable jurist. I certainly would be out of my element, and I would not want to cross legal sabers with him at any time.

Mr. President, let us look at this thing coldly and analytically. The bill came over from the House to provide for a Constitutional Convention. The bill still does. The original tenor of the bill has not been changed by the amendments. Now, Mr. President, if this bill had been taken and so amended by the Committee on Constitutional Changes and Federal Relations in the Senate, so that it provided for an appropriation to cure Bang's disease and referred it to the Agriculture Department, that would be a change in the original tenor of the bill which I think we could all understand.

Mr. President, I would like first to read an editorial from one of the Pennsylvania newspapers. I am very reluctant to thrust upon the other Members of the Senate an opinion from newspapers, but this illustrates something that we are discussing. This is an editorial taken from the Evening Bulletin, which is recognized as one of Philadelphia's outstanding newspapers,—I will amend that, as Philadelphia's outstanding newspapers,—under date of Friday, April 24. It reads as follows:

"House Bill No. 1 in the Pennsylvania Legislature started as a proposal to elect delegates to a ocnstitutional convention without asking whether the public wanted a convention. In its latest form it asks the voters whether they want a convention, but says nothing about election of delegates.

"Those who feel confident that the vote would be for a convention will be disappointed. Yet the bill as now amended is not necessarily fatal to convention hopes, though it may postpone their realization. The short-cut method of voting on a convention and selecting delegates in the same election has been tried a number of times in Pennsylvania, but in every referendum of that kind the vote has been against a convention.

"On the other hand, it is a fact that the last two Constitutions of the State, those of 1838 and 1874, were adopted after the voters had said they wanted constitutional revision. In 1835 and 1871 the voters said yes on the convention question, and thereafter the Legislature enacted laws for the election of delegates.

"So it cannot be argued from the State's constitutional history that submitting the convention question alone is a sure way to kill a convention proposal. Since 1789 this has been the only procedure by which constitutional revision by convention has been achieved."

So you can see, Mr. President, there is a lot of merit in the argument that precedent and history substantiate the procedure of the path that we are following.

Now, Mr. President, with regard to the telegrams which we receive from able jurists, such as Thomas Rayburn White, I would just like to read a short passage from the Pennsylvania State Reports, Supreme Court Reports, Volume 196, which deals with this Article in the Constitution, which was so ably read by the gentleman from Westmoreland with regard to changing the tenor of the act. Inasmuch as this bill calls for a Constitutional revision, this is what the Supreme Court said about interpreting the bill under Article III of the Constitution:

Nowhere in the article is there the slightest reference to, or provision for, the subject of amendments to the constitution. It is not even alluded to in the remotest manner. On the contrary the entire article is confined exclusively to the subject of legislation, that is the actual exercise of the lawmaking power of the Commonwealth in its usual and ordinary acceptation. It is too plain for argument that unless there were somewhere else in the constitution, a provision for cerating amendments thereto, that power could not be exercised under any provision of the 3d article. It follows that a direction to submit 'every order, resolution or vote' of the two houses, to the governor for his approval, does not carry with it any other matter than such as is authorized by the article. As constitutional amendments are not authorized by the 3d article they cannot be within the purview of those orders, resolutions or votes, which must be submitted for the action of the governor."

Now, Mr. President, I cheerfully accept the statement that both of the major political parties dealt with this subject in their platforms. I would like to read—not that it is necessary to refresh the recollection of the gentlemen on the other side of the aisle—part of the platform which was adopted by the Democratic Party in 1952, and which was submitted for recordation in the Legislative Journal on January 26, 1953. Under the heading of "State Constitution" they said, and I quote:

"We pledge the people of Pennsylvania an opportunity to vote upon the adoption of a new State Constitution." That is exactly what we are proposing to do in this bill.

Mr. President, the whole crux of the discussion with regard to House Bill No. 1 is, first, which is the best way to present this to the people. Shall we ask them first whether or not they want a new Constitution? Then if they answer that in the affirmative, present them with the machinery and eventually a new Constitution, or shall we spend $750,000 to present to them a vehicle which they may not want in the first place? Secondly, there is the argument, "Does this change the original tenor of the bill as it was introduced in the House?" If I might reverse the order of the discussion, Mr. President, may I say first that, in my opinion, for whatever it is worth and I would not want to measure it along with such weighed opinions as the distinguished jurist from Philadelphia, it does not change the tenor of the bill.

With regard to the method of approach, Mr. President, I think the people of Pennsylvania would like to have the first and the last word on this question of a Constitutional Convention. I admit, with the gentleman from Westmoreland, that there are a lot of things which we probably would like to change in a new Constitution. There are probably a lot of things which should be rewritten in this old Constitution of 1874, but that is not the question which we are discussing at this time. The need for a new Constitution is something that the people will have to decide. If they decide that they do want a new Constitution, that they want us to set up the machinery for a Constitutional Convention, we are giving them that opportunity without first going through all of the labor pains of producing the new Constitution which they may turn down.

Therefore, Mr. President, I feel that House Bill No. 1, in its present amended form, will reflect best the opportunity to give the people the chance to decide whether or not they want the Constitution, and then they can decide whether or not they want the verbiage that is written into the new instrument.

Mr. DENT. Mr. President, before I begin to answer the learned attorney from Allegheny, I just want to tell him that what he was reading from, the Supreme Court devision, was the question of Constitutional amendments and their relationship to Article III, not the action of this General Assembly in the change of a bill. We are working upon a bill at this time and not a constitutional amendment. What the Supreme Court said about constitutional amendments is right. There is nothing in Article III, Section 1, which says anything about the Legislature working on constitutional amendments. It says the Legislature itself. Neither House can change the intent of an act. You say that the intent was not changed. What was the intention of the House Members when they voted unanimously for this bill? The intention of the House Members was that a Constitutional Convention be called. Now you say you have not changed that intention; that all you have done is say there can be a Constitutional Convention called if the people say so.

Mr. President, the gentleman also said—incidentally, the $750,000 which you are talking about spending, maybe if you spent that $750,000 you would not have a bill on the Calendar today for $11,000,000 worth of deficiencies, and ninety per cent of it is caused because of a fauty constitutional provision in the Commonwealth of Pennsylvania. I call your attention to that so that you will not get off half cocked on savings. You also say that the people are going to be asked to vote on a Constitution before they have an opportunity to vote on whether they want it or not. Well, Mr. President, if they do not know what is in the new Constitution, how can they intelligently vote on whether they want it or not?

Mr. President, I know the answers which will be given. I have gone through one of those campaigns, and your political party recognizes the need for a new Constitution. Yet, in 1936, I believe it was 1936 or 1935, my memory may be hazy on it, we went through the processes of going to the people and what happened, Mr. President? They lined up one group against another. They said if you have a new Constitution, you will have this done to the townships; if you have a new Constitution, you will have this damage done to the squires; if you have a new Constitution, you will change the rules pertaining to professional licensing. They went to every group and told them that if they had a new Constitutional Convention, they would hurt every group in Pennsylvania.

Now, Mr. President, under that procedure, you wil never have a Constitutional Convention. I agree with you, sir. If you say this is what is in the Constitution, these are the provisions, then the people can vote intelligently and you will not allow a few men, selfish in their purposes, to destroy the will of the people, when you said that we are the men who are supposed to have the courage to do things. The people gave us their confidence when they voted for us. If we are going to send every problem back to the people, you do not need fifty Members of the Senate and 208 Members of the House; all you need is a good Reading Clerk and a Transcribing Clerk. All you would have to do is say, "Well, here we have a problem before

us. We want to take the Department of Welfare and put it in with the Department of Public Assistance, but I do not know whether that is very good or not. There are some people for it and some people against it." I think it was Gustave Flaubert, in one of his books called "The Candidates," where the candidates had made a speech. The candidate was making a speech and said, "I have been asked how I stand on taxes." "I speak frankly to my constituency." He said, "There are some of my constituents who are for higher taxes and there are some that are for low taxes, and believe me that is where I stand." That is exactly what we are doing here.

Mr. President, you admitted in your platform that there was the need for a new Constitution. You did not say in your platform that you were going to give the people an opportunity to vote on whether or not they wanted a new Constitution. The people voted for you and you said, "We will give the people of Pennsylvania an opportunity to vote on the adoption of a new Constitution," and not on the adoption of a resolution saying, "Do you want a Constitutional Convention or do you not want it. You specifically said "the adoption of a new Constitution." That is what you said, and I do not care how much talking you do or how many books you pile up there and read from the past. My memory gives me a link to the past. I do not read what some fellow wrote in an editorial. If that man wants to be a Member of the Senate, let him run and vote. He is writing editorials; that is his opinion, the same as this is my opinion. I am giving you my opinion; you are giving me his. I could tell you a story about that, but it would not be in the proper place here.

So, Mr. President, I want to say, in all seriousness, your political party stands indicted before the people of Pennsylvania if you do not give them a Constitutional Convention. Regardless of how you alibi it, regardless of how you apologize for it, you cannot do other than to admit to the people that you lied to them in 1950. You cannot do anything else.

I say to you right now, Mr. President, that it will be the issue and it will be a serious issue. Let us stand up as men in political life and say to the people that we, too, mean what we say. So often we are charged, and maybe rightly so, with writing anything into the platform that will get votes. If you did not believe in it, why did you put it in your platform? You believed it then, that a new Constitution was needed or you would have never put into your platform.

You say that the people did not vote on it. Yes, they did. The referendum has been held. The referendum was held at the election when they adopted the platform. Do not forget, Mr. President, when the people vote for the persons running upon that platform, they adopt the platform of that party. In that platform was exactly the referendum calling for a Constitutional Convention. I do not care how many times you read from somebody else's saying, you cannot convince me to the contrary.

Mr. President, I believe the people of Pennsylvania fully expect this General Assembly to pass legislation allowing them to adopt a new Constitution. That is what the Republican platform said, that is what the Democratic platform said. As we have in the past twenty years, to my knowledge, lived up to our platform as a party, we are going to continue to do so.

Mr. LEADER. Mr. President, I just want to say a word. I cannot add very much to the presentation made by Senator Dent, the Minority Leader. I was just a little disturbed to observe that the distinguished and brilliant Senator from Allegheny, Senator Walker, should have again brought up this matter of cost. I might say that if he is so fearful of the cost of this bill, he might very well have amended ti to read the same as his bill did in the 1951 Session, and that cost would have been very much reduced.

Mr. President, I would like to say to him further that when the people vote on this in a referendum, they certainly are not incurring any obligation to vote for the final draft of that Constitution, as it would be presented to them later or in another referendum. Even though we have this referendum, it is no guarantee that any moneys expended are going to be invested and bring returns by having a Constitution adopted by the voters in a referendum.

Mr. President, besides that, if he feels that a referendum is so sacred, I might ask him further why he failed to put a referendum feature in his 1951 bill.

Mr. President, I want to say this, too. I want to say this finally, and I do not want to take too much of the time of the gentlemen of the Senate, but I want to say that it is an odd situation, and I believe an interesting observation, that these very people, some of them serving on the Committee on Constitutional Changes and Federal Relations, these people who hold the old Constitution of Pennsylvania so sacred that they are afraid to draft a new one and present it to the people of Pennsylvania, these very people ignored the provisions of our present Constitution, in committee, when they changed the original intent and purpose of this bill.

Mr. President, I do not see how, by any stretch of the imagination, even by the best legal minds of this Senate, we can come to any other conclusion than that the original tenor of this bill has been changed, because originally it provided for the selection of delegates to a Constitutional Convention. It was amended in the House to add a referendum, and then we destroyed the original bill and kept only the referendum amendment. We have Rules in the House, we have Rules in the Senate, and perhaps by doing this thing in two steps we have gotten by outside the spirit but inside the letter of the rules of the House and the Senate. Certainly the Constitution of Pennsylvania applies to both bodies of this General Assembly, and I believe we are definitely outside both the letter and the spirit of our present Constitution.

Mr. President, I will say to those people who hold this document so sacred, and it is a splendid document but in need of some revision, I would say to them, reconsider your position; reconsider the oath you took before this Senate, and put these amendments back in and restore the original intent and purpose of House Bill No. 1.

Mr. MAHANY. Mr. President, I do not intend to talk on whether or not we need a new Constitution at this time, because that is not the question before us. The whole question and issue before us at this time is whether or not we should adopt the amendments offered by Senator Dent.

Mr. President, in the amendments which are offered by Senator Dent, he does not cross out or eliminate the possibility of having the constitutional referendum, or a referendum on the question as to whether or not we should have a Constitutional Convention. If it is as he prognosticates, that if we allow the people to vote on whether or not they want a Constitutional Convention they will vote it down, that they will not vote for a Constitutional Convention, then certainly the rest of this procedure as outlined in these amendments is very futile. In other words, why should an attorney, or anyone for that matter, run as a delegate to the Constitutional Convention if he feels, as Senator Dent does, that the people are going to vote the question down as to whether or not they should have a Constitutional Convention?

Mr. President, my good friend, John Fertig, who is now deceased, and who used to be Director of the Legislative Reference Bureau, said the only time he ever ran for office he was elected but he never took office, because at the same election in which he was elected, the people turned down the Constitutional Convention to which he was elected as a delegate.

Mr. President, you have a futile effort on the part of people who would like to come down here and be delegates to the Constitutional Convention. You could not very well ask them to campaign in their districts to be a delegate if, at the same time, they felt the people were not going to vote in favor of a Constitutional Convention. If we first allow the people to decide whether or not they want a Constitutional Convention, I believe it is going to be possible to get better delegates to this Constitutional Convention.

Mr. President, Senator Dent says that if we had a new Constitution, one which is up-to-date, we would not have deficiencies. I do not know how we would save any money. It is going to cost just so much money to run our various institutions, like Cresson, and Mont Alto and those places, and we are either going to provide the money ahead of time or else, after the bills come due, we will have to make up the deficiencies. I do not see how you can operate these institutions for less money, just because you happen to have a new Constitution.

As I say, Mr. President, that is talking on the matter of whether or not we should have a new Constitution, which is not before us. The thing before us is these amendments, and I hope we will stay strictly on the amendments being offered. That is the only question now before us, and I feel the amendments should ve voted down in the cause of good government and common sense. We should first decide at one election whether or not we should have the Constitutional Convention. If the people say "yes," then I would like to see the Constitutional Convention delegates elected in the proper way.

I might say, too, Mr. President, as to whether or not the people answered in the affirmative on the referendum as to whether or not they should have one, for instance, I was elected to the Senate, and the same question appeared on both the Democratic and the Repubican platforms. Just because the people in my district happened to vote in favor of me rather than my opponent, did not mean they were in favor of a Constitutional Convention, because they had to take the platform. As my Democratic colleagues would like to have us word it, they had no choice They either had to vote for "Mahany" or the other fellow. I have never gone there and asked them why they happened to vote for me. Maybe some voted for me because they either knew me or liked me, or they voted for me because they thought if I came down here I would vote for a Constitutional Convention.

Mr. DENT. Mr. President, I wish the Majority Leader and Senator Walker would get together as to what the bill contains and what the amendments do. Senator Walker said that if we pass the bill as it is now constituted, the people will vote on whether or not there is to be a Constitutional Convention held, and then we would go ahead and hold the Constitutional Convention. It does not do that at all, Mr. President. That is why I am amending the bill. I am amending the bill so that if the people do say there shall be, there will be. That is exactly what I am trying do do. Mr. President, under this bill as it is now constituted, there is nothing in the bill which says there will be a Constitutional Convention, even if the people vote for it, because, if you will turn to page 3 you will see that on line 3 you strike out the following: "If the electorate votes in favor of a Constitutional Convention a Constitutional Convention shall be held at Harrisburg Dauphin County" and so forth.

Mr. President, that is what they struck out of the bill. That is why I call it a mockery, because this General Assembly cannot say what the next General Assembly is going to do. This General Assembly cannot pass off onto the next General Assembly what they must do. Why, they could stall as they have on legislation reapportionment now for about twenty years, that I know of personally. Yet, the Constitution says there must be a legislative reapportionment.

Mr. President, you will have the same situation come up. Where you will have the same stalling tactics; you will have the same amount of opposition as you have today. I say, Mr. President, that all we are doing is restoring to the bill the necessity for having a convention. Senator Walker misinformed the Senate by saying that if they pass upon this bill as it is now constituted, the people will say whether or not they want a Constitutional Convention, and if thsy do want it there will be one held. Senator Walker, there will not be one held under this act, because they struck out of it all the provisions which claimed and called for a Constitutional Convention. There will not be any such convention unless some Legislature in the far dim future may decide that it will abide by the mandate of the people.

Mr. President, I again come before you and say to you, in all sincerity, that if you pass this bill as it is now amended, you are deliberately telling the people of Pennsylvania that you did not believe in your platform when you ran upon it. I say again to the Democratic Members, do not be fooled or misead.

Mr. President, I do not know why the people in Senator Mahany's district voted for him, but I am sure they voted for him because they thought he was a very fine man. However, neither did Senator Mahany stand up and tell the people in his district, "I am against the Constitutional Convention; I am against the platform of the Republican Party." He did not, and by his silence he

accepted that platform plank, and by his silence he agreed to abide by the decision of the people upon the platform of the Republican party.

Mr. President, I have so set myself up and I believe that he, too, falls into the same category, and Members of this Senate, I say to all of you here this afternoon that if you vote for this bill as it is now amended, you are voting for a fake, you are voting for a piece of unintelligent legislation aimed at fooling the people of Pennsylvania, because you are not giving them any type of Constitutional Convention. All you are saying to them is, "If you vote for a Constitutional Convention, maybe some legislative body with some personal courage will give you a convention, but we will not give it to you because we have not, in plain American words, got the guts."

Mr. SILVERT. Mr. President, in the time I have been in this Senate, I have learned that there are two ways to kill something you do not want. One is by an outright vote against it, and the other is by delaying tactic.

Mr. President, as a Member of the Committee on Constitutional Changes and Federal Relations, I attended the meeting. As I understand the bill, as it came from the House, it first provided for a vote by the electorate as to whether or not we should have a convention. If the Minority Leader's amendments restore the bill as it was, we will still vote on the question as to whether or not we should have a Constitutional Convention. The part of the bill which was stricken out was the provision for election of delegates to this convention.

Mr. President, the bill has been left bare. As our Minority Leader has stated, there is nothing in this bill which would force the Legislature to pass further legislation for the election of delegates. However, assuming that it does force them, what does this mean? First, we have this vote, and if the bill is killed by a vote, that is the end of it.

If it is not killed, Mr. President, then there is an additional delay as there is no provision in this bill as to how the delegates are to be chosen. Therefore, another Legislature will have to offer and create a bill stating how delegates are to be chosen, and instead of having the possibility of a Constitutional Convention in 1954, as was provided for by the original bill, we may not have, assuming that it passes, assuming that the people want a Constitutional Convention, we may not have a Constitutional Convention for another three or four years, with all the dangers of delay and things which can happen in between.

Mr. President, if the Repubican Party wants a Constitutional Convention, as their platform stated they do, then we should adopt the amendments as offered on this floor today.

And the question recurring,

Will the Senate agree to the amendments?

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, I would like a ruling from the Chair on Rule 18 of the Senate, which so prescribes that "No amendment shall be received by the President which destroys the general sense of the original section, clause, or paragraph."

The PRESIDENT. The ruling of the Chair is that the amendments do not destroy the basic intent of the bill.

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a further point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his further point of order.

Mr. BARR. Mr. President, Rule 37 of the Senate provides, "No law shall be passed except by bill, and no bill shall be so altered or amened on its passage through the Senate as to change its original purpose."

I contend, Mrs. President, that the original purpose of the House was that if this referendum passed in November of this year, a Constitutional Convention would be called.

The PRESIDENT. The Chair rules that it is a matter of opinion as to whether or not the original intent of House Bill No. 1, as passed in the House, has been basically changed as it appears on the Calendar in the Senate. Therefore, the Chair still rules that the bill is fundamentally the same as it was when it came from the House. The point of order is not well taken.

Mr. BARR. Mr. President, am I to understand, then, that when the bill passed the House it had a referendum in it which said, "Do you favor the preparation of a new constitution by a convention"? Now, if that was voted in the affirmative, the machinery for this convention was set up in the bill. The Committee on Constitutional Changes and Federal Relations in the Senate took out the machinery for the calling of this convention, and the mandatory features of the bill, if the Constitutional Convention was called by an affirmative vote of the electorate this November.

Am I to understand from your ruling now, if the people vote this referendum in the affirmative, that you say, then, that the fact the Senate removed the whole meat of the bill, the machinery for calling the convention, that we have not changed the substance of this bill as it passed the House?

The PRESIDENT Well, the Chair does not wish the become involved in an academic discussion with the Senator from Allegheny.

In the first place, the Chair does not agree with the fundamental interpretation placed upon House Bill No. 1 by the Senator from Allegheny. On the other hand, the Chair feels that he has adequately made a ruling and does not wish to get into the embarrasing situation of discussing it.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President, may I interrogate the Chairman of the Committee on Constitutional Changes and Federal Relations?

The PRESIDENT. Will the Senator from Adams permit himself to be interrogated?

Mr. McPHERSON, Jr. I will, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. BARR. Senator McPherson, this Rule of the Senate, No. 37, says, "No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through the Senate as to change its original purpose."

Senator McPherson, do you agree with me that the

original purpose of this bill has been changed with these amendments?

Mr. McPHERSON, JR. Mr. President—

Mr. MAHANY. Mr. President—

The PRESIDENT. Will the gentleman from Adams yield?

Mr. McPHERSON, JR. I will, Mr. President.

POINT OF ORDER

Mr. MAHANY. Mrs President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. As I understand it, Mrs. President, the Chairs has made a ruling. It is not subject to debate. The only way that any Senator can do anything after the Chair has made a ruling is by taking an exception, and putting it to a vote of the Senators present. Is that not right?

The PRESIDENT. The point of order raised by the Majority Floor Leader is well taken.

Mr. BARR. Mr. President, the Chair has ruled that the point of order is well taken. I have been in this same position before, and I am going to ask unanimous consent of the Senate to interrogate the Chairman of the Constitutional Changes and Federal Relations Committee.

Mr. MAHANY. I certainly am going to object, Mr. President.

Mr. BARR. Well, Mr. President, may I interrogate the Majority Floor Leader?

The PRESIDENT. Does the Majority Floor Leader propose to permit himself to be interrogated?

Mr. MAHANY. Mr. President, I think there is only one thing before us, and that is the ruling of the Chair. The only thing which can be done now, if the Senator from Allegheny wishes, is to take an exception from the ruling.

Mr. BARR. Mr. President, I wish the Majority Floor Leader would point out to me the Rule which states that a decision of the Chair is not debatable. What Rule is that?

Mr. MAHANY. It certainly is not debatabe with the Chair, Mr. President.

Mr. BARR. What rule of the Senate is that?

Mr. MAHANY. Mr. President, as I understand it, as long as I have been here, the only thing which can be done after the Chair makes a ruling is to take an exception. Is that right or not?

The PRESIDENT. Well, there is no question. Does the Senator from Allegheny wish me to get the authority for the proposition that a ruling by the Chair is not debatable?

Mr. BARR. Mr. President, I am asking the Majority Floor Leader to show that to me in the Rules. I am not asking the Chair.

Mr. MAHANY. That is in the Rules of Parliamentary Procedure, Mr. President, I believe.

Mr. BARR. In other words, you are invoking rules which are not in the rules, and you are not following the rules which are in the rules, as I see it.

Mr. DENT. Mr. President, the Supreme Court answered that a long time ago, and I think it is proper that we now take an authority higher than any of ours here.

Mr. President, the Supreme Court said, in the case of Kilgore v. McKee, 85, Pennsylvania 401, (1877): "So far as the duty and the conscience of the members of the Legislature are involved, this provision as to the manner of passage of bills through either House is mandatory."

It does not matter whether the Chair rules or it does not rule. In your own conscience you are doing the wrong thing, and you are not allowed to do it except by the vote which you have, because by the grace of a few votes which you received in a few districts, questionable votes, you have a majority in the Senate.

Mr. MAHANY. Mr. President, we are not arguing on that at all, as to whether or not we are doing the right or the wrong thing. We are trying to follow the regular procedure. Perhaps someone over there wants to take an exception to the ruling of the Chair, and put it to a vote. How do they know whether I am going to vote to uphold the ruling of Chair or not?

Mr. BARR. Mr. President, we are going to appeal the ruling of the Chair. We will just take one minute to get the signatures.

The PRESIDENT. For the information of the Members of the Senate, the Chair would ike to read a decision with reference to whether or not a point of order is debatable.

Mr. DENT. Mr. President, may I inject something? So far as I am concerned, I am not questioning that authority. I believe that a point of order is not debatable. I do not think there is a question of debate except when the point of order is questioned.

The PRESIDENT. Am I to infer that the Minority is going to appead and desires a few minutes to prepare the appeal?

Mr. DENT. Mr. President, I understand the Rules of the Senate are that four Members of the Senate must sign an appeal.

The PRESIDENT. The Senate will be at ease for a few minutes to give the Minority an opportunity to prepare the appeal.

The Senate was at ease.

APPEAL FROM RULING OF THE CHAIR

Mr. BARR. Mr. President, the Minority Party presents the following motion, appealing the decision of the Chair, and my friend, Senator Walker, will deliver it to the Chair.

The PRESIDENT. A written appeal has been filed, signed by Senator Barr, Senator Dent, Senator Lane, Senator Holland and Senator Yosko, appealing the decision of the Chair.

The Members of the Senate who wish to sustain the ruling of the Chair will vote "aye" upon the call of the roll.

On the question,

Shall the ruling of the Chair be sustained?

Mr. DENT. Mr. President, in fear of getting myself deeper into that doghouse from which there is no return, I might suggest to the President of the Senate that when an appeal is made to the chairman of a meeting of any kind, under Robert's Rules of Order or the Jefferson Manual, he must relinquish the chair.

The PRESIDENT. The Chair would like to advise the Minority Floor Leader that he does not possess a thin skin, and he should not be apprehensive about getting in the doghouse.

The Chair prefers to stand fast while the vote is taken and will abide by the decision just as gracefully, I am sure,, as the Minority Floor Leader will.

Mr. HOLLAND. Mr. President, I have to correct you. You do not take a vote now. Both sides have an opportunity to present statements as to whether the Chair should be sustained or not sustained.

The PRESIDENT. Well, the roll is not being called; I said when the roll is called. That could mean up before Saint Peter, in the future and not today. I am merely trying to advise the Senate what the procedure will be when the decision is reached.

Mr. HOLLAND. Mr. President, the procedure is not a roll call now.

The PRESIDENT. That is right.

Mr. HOLLAND. The procedure is now that both sides an opportunity for debate.

The PRESIDENT. They both have an opportunity to debate the appeal.

Mr. HOLLAND. Mr. President, I thought the "Angel Gabriel" was calling the roll too soon.

Mr. YOSKO. Mr. President, as a matter of clarification, I would appreciate it if the Chair, so that we all understand what we are voting for, would state the question. As I understood Senator Barr, he submitted several questions to the Chair.

The PRESIDENT. There is only one question, for the information of the Senator from Northampton, presently being considered by the Chair, and that is the matter of the appeal from the Chair's ruling. The question is whether or not the Senate will sustain the Chair. I was about to explain that those who sustain the Chair will vote "aye," and those who do not sustain the ruling of the Chair will vote "nay."

And the question recurring,

Shall the ruling of the Chair be sustained?

Mr. BARR. Mr. President, the question on which I appealed the decision of the Chair was on Senate Rules Nos. 18 and 37, on the ground that the bill, as now amended, has changed the original purpose of the bill as it passed the lower House of the General Assembly.

The PRESIDENT. The Chair would like to point out to the Senator from Allegheny that he made two different rulings under two different Rules. Now this appeal, the Chair infers, is from the second ruling regarding Senate Rule No. 37.

Mr. BARR. Mr. President, we will accept that.

Mr. DENT. We have to accept whatever you give us anyway, so what is the difference?

The PRESIDENT. I am just trying to straighten out the record. I am not touchy about the first rule, but I think that since the second ruling was asked for the appeal should be from the ruling on the second rule, namely Roue No. 37. I am not trying to tell the Senator how to run his business, but I think that would make the record better if we did it that way.

POINT OF ORDER

Mr. DENT. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Westmoreland will state his point of order.

Mr. DENT. Mr. President, for the record, whn I said that the chairman of any meeting should relinquish his post, we are operating in the Senate under the Jefferson Manuel and the Joint Rules of the Senate and House. The purpose of that, Mr. President, is to keep the question of a decision by the body, as to whether the Chair should be sustained or not, in a position from becoming personal. Therefore, it has always been a rule in every deliberative body that I have ever known of, or read about or have witnessed that the Chair relinquishes the chair for the simple reason that it does not want it to become a personal matter as to the question of the decision as it affects the person in the chair.

Mr. President, there is not any question about the outcome of the vote. I think we all know that, but if minorities do not fight for what they thing is right, then majorities have no value either. Therefore, Mr. President, I would suggest to the Chair that he reconsider his decision to stand fast, and for a short time back up slowly and gracefully.

The PRESIDENT. The Chair would like to say, in rply to the Minority Floor Leader, that is clearly a discretionary matter so far as the Chair is concerned. If the Minority Floor Leader feels that he cannot do his best unless the Chair brings up a supernumerary, I suppose I could get relief.

Mr. DENT. Mr. President, I am not worried about that. The arguments which I am going to make are based upon logic and not upon the person. However, I would suggest that the Secretary of the Senate provide me with a Jefferson Manual.

The PRESIDENT. For the information of the Minority Floor Leader, on page 531, "Decision of the Senate," the following is cited:

"Mr. Walker raised the question that on an appeal from a decision of the Chair, the Presiding Officer must vacate the Chair and permit a member of the Senate to preside.

"The Presiding Officer ruled that he may vacate the Chair and that it is within the discretion of the Chair to decide whether he shall step down. (Legislative Journal, December 13, 1951, P. 6188.)"

Jefferson's Manual provides, on page 18, "All questions of order are decided subject to appeal and any member may appeal from a decision by the Chair. It is within the discretion of the Chairman as to whether he will vacate the Chair on an appeal from his decision." Now, this is Cannon's procedure in the House of Representatives, 81st Congress, 2d Session.

Mr. DENT. Mr. President, the Chair has ruled that he has decided to stand fast. I know that it is discretionary, but under all the rules of order which I ever participated in over a rather long, lengthy lifetime of political debate and parlimentary debate, I have never had the chair stay in place when there was a question on his decision.

However, Mr. President, assuring you that it is not in any way trying to duck the inevitable decision of the Chair, I want to take up the arguments as to why I believe the Chair's decision is in error.

The PRESIDENT. The Chair will just make this one additional observation for the information of the Senator from Westmoreland.

The Rules, which the Chair assumes everyone officially connected with the Senate is bound to follow, provide the authority for the position that the Chair first took in

rendering the decision on the ruling. The Chair does not want to get into the position of having come to a fork in the road, and getting a foot up each fork.

And the question recurring,

Shall the ruling of the Chiar be sustained?

Mr. YOSKO. Mr. President, I just want to make a few comments on why I believe the intent of the bill has been changed. If I am wrong, I wish somebody would correct me.

Mr. President, I understand that House Bill No. 1 accomplished, or proposed to accomplish, two things; first, submit the question of whether or not the people wanted a Constitutional Convention to revise Pennsylvania's Constitution and at the same time elect 110 delegates. If the people decided they wanted to have a convention to revise Pennsylvania's basic law, which I understand is seventy-nine years old, the election of the delegates would be legal and the convention would be held at Harrisburg in January 1954. If the people decided that they did not want a Constitutional Convention and did not want to revise the Constitution, then the election of the delegates would be void.

Mr. President, as I understand it, through the amendments which were made in the Committee on Constitutional Changes and Federal Relations, the one intent, the one objective, was removad from the bill which changed the intent of it. The question of whether or not we should have a Constitutional Convention remains in the bill with the amendments, but the machinery to set up the convention itself, which also set the time limitation, January 1954, has been removed.

Mr. President, if the bill as amended should be adopted by the House and the Senate, and is submitted to the people by way of a referendum and they decide that they want to have a Constitutional Convention, the one intent of the original bill is destroyed because another Legislature will have to determine when that Constitutional Convention should be held, the number of delegates to be elected and all of the other factors that are necessary to hold a Constitutional Convention.

Therefore, I say to the Members of this Senate that the original intent of the bill that passed the House was changed by the Committee on Constitutional Changes and Federal Relations.

Mr. President and Members of the Senate, I can see why the bill was amended. You know, 1954 is State election year. We are going to elect Members of Congress; we are going to elect Members of the House and the Senate; we are going to elect a Governor, a Lieutenant-Governor, and a Secretary of Internal Affairs. I say to you, Mr. President, that if and when we have a Constitutional Convention here in Harrisburg in 1954, there would naturally have to be considerable debate on proposed Constitutional changes, and included in that debate would be a change in the practice and procedure of the operations of the State Government. Naturally, the hodgepodge which exists here, the mess which exists here in Harrisburg, would, indeed, be the subject of debate.

POINT OF ORDER

Mr. MAHANY. Point of order, Mr. President.

The PRESIDENT. The gentleman from Crawford will state his point of order.

Mr. MAHANY. Mr. President, the gentleman is not talking upon the issue before us; that is, whether or not the ruling of the Chair should be upheld and as to whether or not we have changed the original tenor of this piece of legislation from the time it left the House.

The PRESIDENT. The Chair will have to rule that the point is well taken.

The Senator from Northampton, Mr. Yosko, must realize that a discussion on the merits of the bill, or the amendments either, is not in order when the question specifically is whether or not the Chair ruled properly as to whether the bill was so emasculated as a result of the amendments—that is, the deletion by amendment of the bill—that it lost its original intent and identity.

Mr. YOSKO. Mr. President, do I understand from the Chair that I am not permitted to go into the intent of the Majority in changing the intent of House Bill No. 1?

The PRESIDENT. Not at this time. That would not, in the Chair's judgment, be in order at this time. The Chair does not say that it would never be in order, but it certainly is not at this time, when the sole question is, as the Chair has tried to indicate, as to whether or not the Chair properly ruled when the Minority advanced the argument that the deletion, by amendment, of portions of the bill had so emasculated it that it no longer was consistent with its original intents and purposes.

Mr. BARR. Mr. President, could I ask you as a personal favor to appoint someone in your place? I do not want to make this a personal issue with the Chair, but I do not agree with this ruling. I think we can get this thing to a quick vote much faster if you would ask someone else to take your place in the Chair.

The PRESIDENT. The Chair will have to stay where he is, I guess.

And the question recurring,

Shall the ruling of the Chair be sustained?

Mr. LANE. Mr. President, I am going to try to be in order and discuss our appeal from your ruling on Senate Rule No. 37. First, I want to read into the record, for the purpose of the record, Senate Rule No. 37. It specifically says this:

"No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through the Senate as to change its original purpose."

Mr. President, my arguments are going to be predicated on that word "purpose," in Rule No. 37. I am going to cite first to you, Mr. President, an amendment to the title of House Bill No. 1, Printer's No. 157. Incidentally, I am not politically naive enough to think that anything I might say or do is going to change one vote on the Majority side. However, we do want this in the record. What has been struck out says, "Providing for a new Constitution for the Commonwealth of Pennsylvania by means of a constitutional convention and a vote of electors and providing for the selection nomination and election of delegates upon the determination by the electorate that such a convention should be held." All that has been struck out in the title and this is what has been substituted: "Providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention."

Moreover, Mr. President, and I wish to call this to the attention of the Members of the Senate, on page 3, commencing with line 3, which is struck out, it reads as follows: "If the electorate votes in favor of a con-

stitutial convention a constitutional convention shall be held at Harrisburg, Dauphin County, Pennsylvania in the hall of the House of Representatives beginning on the fifth day of January one thousand nine hundred fifty-four at eleven o'clock A. M., and shall conclude its sessions not later than the first day of July one thousand nine hundred fifty-four."

Mr. President, everything has been struck out on page 3, page 4, page 5, page 6, page 7, page 8, page 9 and part of page 10. I want to point out to the membership that on page 2, on line 18,—I am skipping a number of these lines, but this is the subject matter in my opinion—it says: "The results of such election shall be tabulated by the proper election officers of each county and the results thereof certified to the Secretary of the Commonwealth."

That is all we have until we go over on page 10, line 3. Section 12 was struck out, and in its place section 2 is inserted. It says, "This act shall become effective immediately upon its final enactment."

Mr. President, I say to you that anyone can easily see that the subject matter of this bill has been drastically changed, because even if we would pass this bill in its present form, it guarantees nothing to the citizenry of Pennsylvania. It does not even mean that we will have a Constitutional Convention if they vote in the affirmative on the matter.

Therefore, I say to you, Mr. President, in my opinion, and I am sure that I am right, the Chair's ruling is wrong. I say that quite reluctantly because the distinguished Lieutenant-Governor served in the House with me. I had the privilege of coming over to the Senate with him, and I never thought I would have to take part in appealing from one of his rulings. However, in this particular case, I feel that I am justified and I now yield to the Minority Floor Leader, Senator Dent.

Mr. DENT. Mr. President, I desire to interrogate the President of the Senate.

The PRESIDENT. Well, now, the President of the Senate does not want to be arbitrary, but certainly the Minority Floor Leader must realize that he is not in order when he attempts to interrogate the Chair with reference to this debate. If he wishes to know whether or not this is a red or black tie I am wearing, I will be very glad to answer that.

Mr. DENT. Mr. President, never in all my years in the Senate have I tried deliberately to embarrass anybody, because I am so easily embarrassed myself.

The PRESIDENT. All right, the Chair will permit itself to be interrogated.

Mr. DENT. Mr. President, will the Chair tell us whether or not he has a copy of this act before him?

The PRESIDENT. The Chair does, right here, House Bill No. 1, Printer's No. 157.

Mr. DENT. Then, Mr. President, since you have a copy of the act, would you tell the Members of the Senate which part of the title has been left in the bill as it originally came from the House?

The PRESIDENT. The Chair would rather have the gentleman from Westmoreland tell him what has been left out.

Mr. DENT. Mr. President, all of it has been left out. You see, Mr. President, that is why we appealed from your decision. We appealed because we believe in this particular instance, and on one of the rare occasions in your long lifetime, you are in error. We say so, Mr. President, because on page 1 the title of this act appears.

The PRESIDENT. Has the Minority Floor Leader concluded his interrogation?

Mr. DENT. Mr. President, I am beyond the interrogation. I was just stating—if the Chair would give me a little attention at this time.

The PRESIDENT. The Chair will endeavor to do that.

And the question recurring,

Shall the decision of the Chair be sustained?

Mr. DENT. Mr. President, the reason that we have appealed the decision of the Chair, plainly stated, is this. An act came over from the House of Representatives. It contined a comprehensive title. The title has been stricken completely from the bill, and in lieu thereof a new subtitle has been written which does not deal with the matter contained in the original title.

We take the position, Mr. President, that this is in direct violation of the Constitutional provision under Article III, Section 1, and under Rule 18 and Rule 37 of the Senate. We do so, Mr. President, because, in logic, we all know that when a resolution is presented to any deliberative body, the whereas clauses within that resolution are only descriptive of what is intended by the resolve. The meat of the resolution, the intent of the resolution, is contained within the resolve. So it is with a piece of legislation, Mr. President. The resolve is contained in that section of the act which says what the act does.

Now, what does the act do, Mr. President, after you take away from it all of the verbiage and language describing the resolve within the act? It does exactly this, Mr. President. On page 3, it says, under section (b), line 3: "If the electorate votes in favor." Now, Mr. President, the machinery has been set up for the electorate to vote, but if it votes in favor of a Constitutional Convention, a Constitutional Convention shall be called.

Mr. President, we have left the whereas clause, we have left the machinery for calling a convention or allowing the people to vote, but after we allow them to vote, what do we do? We do absolutely nothing. We have stricken the resolve from the resolution; we have taken the body from the bill. We do not do a thing except say to the pople, "You may vote if you want or do not want a Convention." We do not say to the people, "If you vote for a Convention, we will give you a Convention. If you do not vote for it, there shall be no Convention."

Mr. President, that is the intent of the act. The intent of the act is to give to the people a convention if they so desire. I know that you have made your minds up in caucus, but, really, you can be wrong, too, even in a great Republican Caucus. You can stand there and you can argue until you are blue in the face, and I am inclined to do that right now, but you cannot convince me that you have not destroyed the intent of this act.

Mr. President, I am awfully sorry to have your opinion in this argument rendered on the side of reaction, because I have always held that you tried to hold your—well, it does not matter because what I was going to say was intended for your ears.

The PRESIDENT. The Chair is listening, Senator.

Mr. DENT. Mr. President, my dad always used to cuff me when I did not listen, but you are too big.

Mr. President, in all seriousness, this ruling of yours may have far-reaching effect. It means that some arbitrary committee of this Senate, or some arbitrary chairman of a committee, can take a stand which is contrary to the wish of the entire membership of this Senate, and if he has in the Chair a friendly tenor, they may sing a duet together. That is what I am trying to bring to your attention now.

I believe, Mr. President, that if you read the bill in its entirety, you must, out of clear conscience and simple justice, agree with us that the intent of this bill has been changed.

Mr. MAHANY. Mr. President, Senator Dent said that if this ruling is sustained, then some unfriendly committee chairman, or committee, could take a bill and upset the whole thing, or words to that effect, or change its tenor.

Mr. President, I am not admitting that this committee did this, but, certainly, no committee could do anything like that, because then their bill as amended has to be presented to this Senate and amendments can be offered, just as was done today by Senator Dent, to restore the part of the bill which was deleted by the Senate committee. If the majority of the Senators feel that those amendments should be adopted, then the bill returns to the same place where it was when it was brought over to the Senate.

I do not believe for one minute, Mr. President, that this committee has changed the original purpose of this bill. The fact that someone over in the Legislative Reference Bureau chose to strike out all the words in the title does not mean anything, because they could have done the same thing without changing the words. The bill, as it came over here, certainly provided for a referendum. He could have provided for the determination by the electorate that a Constitutional Convention should be held, and then he would have kept the wording in the title and just eliminated the part about calling the Constitutional Convention.

I say this, Mr. President. Although we cannot positively bind a future Session of the Legislature, if the people should vote for a Constitutional Convention to be held this year, and the party in power at the next Session of the Legislature should not set up the machinery to carry out the will of the people, then, certainly, that party in power should be defeated the next time they go to the polls. If I happen to be a Member of this Senate at the next Session of the Legislature, and the people this year vote in favor of having a Constitutional Convention, I will stay here until doomsday and filibuster and everything else to see that the will of the people is carried out. Certainly it would be incumbent upon whatever party is in power, whatever Senators were here, or House members, to see to it that that Constitutional Convention was held and that the machinery was set up for it.

Mr. SILVERT. Mr. President, it is my firm belief that this bill, as amended, changes the original intent of the act, and I shall give my reasons.

Mr. President, if this bill had not been amended, and the people of the State voted to have a convention, then this bill certainly would have provided that a convention be held in January of 1954. Let us assume that this bill goes through as amended, and the people vote for a convention. There is absolutely no certainty that a convention will be held, and the next Legislature can refuse to provide the machinery.

Let me give you an example, Mr. President. This bill will be no holier than the Constitution of the State of Pennsylvania. Our Constitution now provides for reapportionment every ten years, and we all know that there has been no reapportionment since 1921, because there are no teeth and no compelling features in the Constitution which compel reapportionment. It merely states the thought and policy, and that is all you have in this bill.

Mr. President, I say, if this bill is passed as it now stands, Session after Session can, I am not saying that they will, but they can refuse to act and we will be in exactly the same position with this Constitutional Convention as we are with reapportionment today.

Mr. BARR. Mr. President, I think I am in order, as I have not talked on this as yet. Am I correct?

The PRESIDENT. That is correct.

Mr. BARR. I would like first to interrogate the Majority Leader.

The PRESIDENT. Will the Majority Leader permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. BARR. Senator Mahany, did the Republican platform of 1950 promise a Constitutional Convention?

Mr. MAHANY. Mr. President, the best evidence of that is the platform itself. I will refer the Senator to the wording of the platform. It is not up to me to interpret the platform.

Mr. BARR. I asked you a question. Did the Republican Party promise a Constitutional Convention in their platform of 1950?

Mr. MAHANY. Mr. President, I say again that the best evidence of what the Republican Party promised is in the platform.

Mr. BARR. Mr. President, for the gentleman's information, I will tell him that it is definitely in their platform. It is here on my desk. If he does not want to read it, I am not going to take the time to do so now.

Mr. MAHANY. It was read, Mr. President. I can read it again, but I do not see how it would serve any useful purpose. It was mentioned in Senator Walker's speech here a little while ago.

Mr. BARR. What I wanted to say to you was that just a few moments ago you said that if the people vote "yes" in this referendum, that you will have a convention. I just wanted to say that if the Republican Party's platform word was no good then, I do not think that it is going to be any better in the future.

In conclusion, I would like to ask you what this bill will do, Senator Mahany? What will this bill do if passed, as amended, by the Senate?

Mr. MAHANY. What will it do if it is passed, as amended?

Mr. BARR. What will it do in its present form?

Mr. MAHANY. You mean passed without the amendments you are now offering; is that what you mean?

Mr. BARR. Yes, that is right.

Mr. MAHANY. It will provide for a referendum. The question will be submitted to the people as to whether or not they wish a constitutional convention held.

Mr. BARR. What would it have done without the amendments put in by the Committee on Constitutional Changes and Federal Relations?

Mr. MAHANY. It would have provided in the first part the same thing. Then, it went on further, and did something which Senator Dent feels would never be accomplished, because the people, he says, are going to vote that down.

Mr. BARR. I am asking you, not what Senator Dent said but what you think the bill will do.

Mr. MAHANY. Then it would have provided the machinery to be set up to have a convention.

Mr. BARR. That was the original purpose of the bill. Do you agree?

Mr. MAHANY. No, I am just saying that that is what it would have done.

Mr. BARR. Well, was that not the original purpose of the bill?

Mr. MAHANY. Mr. President, there were two purposes set forth here; one, to have the referendum and, second, to have the machinery set up.

Mr. BARR. Mr. President, if the gentleman will turn to page 3, I think he can read the lines which are stricken out. It says, at the bottom of page 2—I had better read him that so he will be crystal clear in his thinking. "The results of such election shall be tabulated by the proper election officers of each county and the results thereof certified to the Secretary of the Commonwealth."

Now, Section (b), line 3, says, "If the electorate votes in favor of a constitutional convention a constitutional convention shall be held."

That is the purpose of the bill; first, if they want it, and then if they voted in the affirmative, what shall be done. Do you mean to tell me that you have not changed the purpose of this bill?

Mr. MAHANY. Mr. President, we changed one part of it. We changed one purpose, but we certainly did not change the other purpose. We have a right to take half if we want to.

Mr. BARR. You allow the people a piece of paper, I will admit that.

I will ask you one more question. What assurance do the people have that there will be a convention if they vote in the affirmative?

Mr. MAHANY. I say that if the House and Senate are Republican, and we have a Republican Governor, they are sure going to get a Constitutional Convention.

Mr. BARR. You have both of those now, and the Governor asked for it. In other words, your word is going to be better in 1955 than it is in 1953.

Mr. President, I am only sorry that Mr. Johnson, the sponsor of the bill in the House, is really not in Session at the present time, because I would ask the Sergeant-at-Arms to see if he could get the Honorable Mr. Johnson over here, and I would ask him the question, if the purpose of the bill has not been changed.

Mr. President, in conclusion, I want to say this. I have always been a loyal party man, and I have many times abided by my caucus. A few times I have not, when I thought they were wrong. I think the reason I was asking that you would not be in the Chair was because I do not want to make a remark, and I do not want you to construe this as personal, but I think when a party is wrong and has lost their intestinal fortitude, as the Majority of the Senate has in this Session, that they should not ask the Presiding Officer to come in collusion with them.

Mr. LEADER. Mr. President, I would just like to say a word. I think it is time that we be as thoroughly honest with this matter as we possibly can.

Mr. President, the original intent of this bill, and it was an administration bill, I understand, and I might say to the Majority Leader that I believe the Governor was for this bill. If he was not, certainly many of the people were misinformed by what they read in the newspapers of the Commonwealth. It was the original intent of this bill to call a Constitutional Convention. The enemies of this piece of legislation got their hands into the affair in the House, and injected into it a referendum feature. By the time it got over here to the Senate, other enemies of the bill got hold of it and in order to destroy it, saved only the referendum feature, and took away the original intent to call a Constitutional Convention.

Mr. President, that is the long and the short of the matter, as I understand it. No one yet has been able to show me how the original intent is going to be carried out. Who is to be responsible for calling this Constitutional Convention? Is it the Governor, who has just now failed, apparently? Is it going to be the Majority Party who has just now refused to go along with the Governor on this proposition, or is it the fault of the Minority Party over here without sufficient votes to do anything about it?

I think, Mr. President, that we should stop and be honest with ourselves. This bill was introduced as a Constitutional Convention bill. It was introduced as House Bill No. 1 over there, it was considered of such primary importance. The people think of it as a Constitutional Convention bill and I think we do our representative government in Pennsylvania a disservice by deceiving the people with a bill such as the one which is left after this present emasculation.

Mr. McPHERSON, JR. Mr. President, it is interesting to note that in the Session of 1871, Act No. 262, which was approved on June 2, 1871, was submitted to the electorate of the Commonwealth of Pennsylvania, on the question of whether or not there should be a Constitutional Convention. In the Session of 1872, by Act No. 44, which was approved on April 11, 1872, the machinery for a Constitutional Convention was set up. As a result of that legislation, the Constitution under which we are now governed in the Commonwealth of Pennsylvania was adopted.

Mr. President, it seems that if that was the procedure followed at one time, history may very well repeat itself at this time.

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, in Mr. McPherson's discussion there he plainly said that in 1871 one bill was passed setting up the machinery, and in 1872 the machinery for the convention was passed. That was when they had yearly Sessions.

Mr. President, this General Assembly will not meet

next year unless it is called by the Governor in a Special Session. We cannot tell a new General Assembly in 1955 what they are going to do under any pretense.

And the question recurring,

Shall the ruling of the Chair be sustained?

Mr. BARR. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

The PRESIDENT. The Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. BANE. Mr. President, I should like to have the Chair state the question in the matter of voting.

The PRESIDENT. The Chair repeats that those who vote "aye", vote to sustain the ruling of the Chair, and those who vote "nay" vote not to sustain the ruling of the Chair.

The yeas and nays were required by Mr. BARR and Mr. LANE, and were as follows, viz:

YEAS—29

Berger,	Harney,	McCusker,	Wagner,
Blass,	Kephart,	McPherson, Jr.	Walker,
Chapman,	Kessler,	Miller,	Watkins,
Crowe,	Kopriver, Jr.	Propert,	Watson,
Diehm,	Letzler,	Stevenson,	Wolfe,
Fleming,	Madigan,	Taylor,	Wood,
Freed,	Mahany,	Wade,	
Hare,	Mallery,		

NAYS—14

Bane,	Holland,	McMenamin,	Stiefel,
Barr,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
Haluska,	McGinnis,		

So the question was determined in the affirmative.

Mr. DENT. Mr. President, in order that there be no further discussion on the Chair's position in the matter, I am taking the advice that has been so often given, that when you get yourself in a situation where you are forced to do that which you are unwilling to do, relax and enjoy it.

And the question recurring,

Will the Senate agree to the amendments?

MOTION THAT AMENDMENTS BE ADOPTED

Mr. DENT. Mr. President, I move that the amendments to Section 1 be adopted.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, the question, as I understand it, resolves itself into this situation. We vote now on whether or not you want the people of Pennsylvania to have a convention if they vote for it, or whether you do not want them to have a convention, whether they vote for it or not.

And the question recurring,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I ask for a roll call.

Mr. BARR. Mr. President, Iask for a roll call.

The PRESIDENT. The Clerk will call the roll.

The yeas and nays were required by Mr. LANE and Mr. BARR and were as follows, viz:

YEAS—14

Bane,	Holland,	McMenamin,	Stiefel,
Barr,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Yosko,
Haluska,	McGinnis,		

NAYS—29

Berger,	Harney,	McCusker,	Wagner,
Blass,	Kephart,	McPherson, Jr.	Walker,
Chapman,	Kessler,	Miller,	Watkins,
Crowe,	Kopriver, Jr.	Propert,	Watson,
Diehm,	Letzler,	Stevenson,	Wolfe,
Fleming,	Madigan,	Taylor,	Wood,
Freed,	Mahany,	Wade,	
Hare,	Mallery,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend Sec. 2, page 10, line 3, by striking out the figure "2" and inserting in lieu thereof: "12".

On the question,

Will the Senate agree to the amendment?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. DENT offered the following amendment:

Amend title, page 1, lines 5 to 8, by striking out "PROVIDING FOR A REFEREN-" in line 5 and all of lines 6, 7 and 8, and inserting in lieu thereof: "Providing for a new Constitution for the Commonwealth of Pennsylvania by means of a constitutional convention and a vote of electors and providing for the selection, nomination and election of delegates upon the determination by the electorate that such a convention should be held."

On the question,

Will the Senate agree to the amendment?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 51, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 1, page 1, line 2, by striking out "TWENTY-

FIVE"; Amend Sec. 1, page 1, lines 2 and 3, by striking out "($125,000)" and inserting: "($100,000)."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 97, on second reading, entitled:

An Act to prohibit acquisition of property and property rights by condemnation until payment into court of a percentage of the damages admittedly due owners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 110, on second reading, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen. justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 325, on second reading, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 437, entitled:

An Act to amend the act, approved the ninth day of May, one thousand nine hundred forty-nine (P. L. 919), entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation; and providing procedures for transmission and settlement of certain moneys," by extending the provisions thereof to court ordered restitutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 445, entitled:

A Supplement To the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1, page 4, lines 18 and 19, by striking out "one hundred twenty thousand dollars ($120,000)" and inserting in lieu thereof: "ninety-nine thousand dollars ($99,000)"; Amend Sec. 1, page 6, lines 10 to 20, inclusive, by striking out all of said lines; Amend Sec. 1, page 7, lines 1 to 5, inclusive, by striking out all of said lines; Amend Sec. 1, page 7, line 14, by striking out "one hundred twenty thousand dollars ($120,000)" and inserting in lieu thereof: "ninety-three thousand dollars ($93,000)".

They were agreed to,

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to amend section six of the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings of the United States Government, and of copies thereof, and extracts therfrom, and certificates in reference thereto," by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates, fares and charges, and supplements thereto, filed with the Interstate Commerce Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act to further amend Section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, April 28, 1953, at 10:00 o'clock a. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:37 o'clock p. m., Eastern Standard Time, until Tuesday, April 28, 1953, at 10:00 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 27, 1953

The House met at 3:30 p. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Rev. Charles F. Trunk, Jr., guest Chaplain and pastor of the Bethlehem Lutheran Church, Harrisburg, Pennsylvania, offered the following prayer:

Father of us all, we thank Thee for life and all that Thou hast given us to make that life worthwhile. Let us remember Thee not alone when we pray, but also as we plan. Shock us into our senses, lest we be satisfied with mediocre service to Thee and to our fellowman. May we live and legislate not by might, nor by power, but by Thy Spirit so that Thy will may be done. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of April 14, 15, 20, 21 and 22, 1953? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Messrs. JOHNSON and LEVEN.

HOUSE BILL No. 1191.

An Act reinstating members of the Pennsylvania State Police Force heretofore summarily dismissed.

Referred to the Committee on State Government.

By Messrs. GUTHRIE and HELM.

HOUSE BILL No. 1192.

An Act to further amend the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal." by exempting from the provisions thereof, estates of certain persons dying while in the service of the armed forces of the United States of America.

Referred to the Committee on Ways and Means.

By Mr. FROST. HOUSE BILL No. 1193.

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Psychological Examiners, defining its powers and duties and reenacting the departmental administrative agencies in the Department of Public Instruction.

Referred to the Committee on Professional Licensure.

By Mr. FROST. HOUSE BILL No. 1194.

An Act relating to the practice of psychology; defining and providing for the licensing and registration of psychologists and psychological technicians and for the revocation and suspension of such licenses and registration subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Psychological Examiners and the Department of Public Insrtuction; and prescribing penalties.

Referred to the Committee on Professional Licensure.

By Mr. SNYDER. HOUSE BILL No. 1195.

An Act to amend the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by further extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes who served full time in the American Red Cross in behalf of any branch of the armed forces.

Referred to the Committee on Education.

By Mr. ZIEGLER. HOUSE BILL No. 1196.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania authorizing a graduated individual income tax.

Referred to the Committee on Ways and Means.

By Messrs. WESCOTT and GUTHRIE.

HOUSE BILL No. 1197.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue,

the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the secretary to suspend registrations of manufacturer's, jobber's and dealer's in the dealer's class, further regulating use of dealer's registration plates in certain cases.

Referred to the Committee on Motor Vehicles.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 7, 29, 37, 105, 111, and 743.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 7, Printer's No. 109, entitled "An Act to further amend section two of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled 'An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation' by increasing the maximum cost of any one roadside rest."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 29, Printer's No. 3, entitled "An Act to further amend section 717.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by increasing the fee for inspection certificates."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 37, Printer's No. 6, entitled "An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Township of North Union Fayette County Pennsylvania with the approval of the Governor."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 105, Printer's No. 11, entitled "An Act to amend Section 1222 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedetsrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by increasing secretary's fee for supplying certain information."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 111, Printer's No. 69, entitled "An Act to continue the imposition of the tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies associations and exchanges."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 24, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 743, Printer's No. 90, entitled "An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member."

JOHN S. FINE.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled:

An Act to add Section 709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P.

L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts with the approval of the court of common pleas to lease unused and unnecessary lands and buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 278, entitled:

An Act to repeal Sections 683 684 and 685 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the appointment of a tax collector in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considsideration of House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 902, entitled:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting supplemental payments by the Commonwealth on account of pupils in joint schools or in union or merged districts to districts of the third and fourth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 903, entitled:

An Act to further amend subsection 2 of section 12 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributors by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by granting credit for prior service after retirement for superannuation and providing for the payment thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 904, entitled:

An Act to further amend clause (c) of subsection 5 of section 13, of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, alowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by increasing the allowances for disability retirement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 905, entitled:

An Act to further amend paragraph 6 of section 8 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing beneficiaries who are disability annuitants to change from the one one-hundred sixtieth (1/160) class to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1062, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine

(P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising consolidating and changing the laws relating thereto," by renumbering the second Section 1372.1 and by providing for transportation of mentally handicapped children to and from day care training centers provided by the Department of Public Instruction for such children.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1108, entitled:

An Act to amend clause (3) of Section 5 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by removing the five-year financial experience requirement as to obligations of authorities constructing public school buildings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 21, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one ((P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 13, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 352, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by further regulating the confinement of juveniles under eighteen years of age.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 504, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 705, entitled:

An Act to amend Clause (c) of Section 2411 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting the furnishing and erecting on Commonwealth property of certain prefabricated houses or custom-built houses without appointment of and contract with an architect and without approval of the State Art Commission.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 921, entitled:

An Act to further amend Section 1156 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further prescribing permit requirements and penalties for public utility working involving township roads providing for payment of fees therefor into the township treasury and imposing duties on the supervisors

The first section was read.

On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. WEIDNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships for the purpose of possible amendment.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1077, entitled:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1078, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection
Senate Bill No. 9, Printer's No. 16,
Senate Bil No. 16, Printer's No. 164,
Senate Bill No. 76, Printer's No. 36,
Senate Bill No. 207, Printer's No. 65, and
Senate Bill No. 211, Printer's No. 29,
were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

The SPEAKER. Without objection the Chair will pass over the Final Passage Calendar temporarily, and take up bills on Third Reading. The Chair hears none.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection
House Bill No. 38, Printer's No. 54, and
House Bill No. 343, Printer's No. 128,
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 663, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by abolishing requirements for testing and approval of certain hitches and coupling devices abolishing certain fees

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. BUCHANAN. Mr. Speaker, I move that this bill be recommitted to the committee on Motor Vehicles.

The motion was agreed to.

BILLS PASSED OVER

There being no objection,
House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96
House Bill No. 814, Printer's No. 97
House Bill No. 815, Printer's No. 98
House Bill No. 816, Printer's No. 99
House Bill No. 817, Printer's No. 100
House Bill No. 818, Printer's No. 101
House Bill No. 819, Printer's No. 102 and
House Bill No. 889, Printer's No. 136,
were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

Aggreeably to order
The House proceeded to the consideration on final pas-

sage of House Bill No. 908, as follows:

An Act to provide revenue by imposing an excise tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

PERMISSION GRANTED TO RECONSIDER VOTE ON HOUSE BILL 908

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to move that the vote by which House Bill 908, Printer's No. 122, passed third reading on April 13 be reconsidered.

The SPEAKER. Will the House give its unanimous consent for the making of this motion? Is there Objection? The Chair hears none, and consent is granted.

RECONSIDERATION OF VOTE

Mr JOHNSON. Mr. Speaker, I move that the vote by which House Bill 908, Printer's No. 122, entitled:

An Act to provide revenue by imposing a tax on the use and storage of tangible personal property within the Commonwealth; providing for the assessment and collection of the same and the settlement thereof and appeals therefrom; providing for the duties of prothonotaries in connection therewith: prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

passed third reading on April 13, 1953, be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on the third reading of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title by striking out "an excise" and inserting in lieu thereof: "a."

Amend Sec. 102, page 3, line 17 by striking out "retail dealer" and inserting in lieu thereof "seller."

Amend Sec. 102, page 3, line 19 by striking out "retail dealer" and inserting lieu thethereof: "seller."

Amend Sec. 102, page 4, line 2 by striking out "retail dealers" and inserting in lieu thereof: "sellers."

Amend Sec. 102, page 4, line 5 by striking out "otherwise" and inserting in lieu thereof: "the gross receipts from which are."

Amend Sec. 102, page 4, line 11, 12, and 13 by striking out "in interstate and" in line 11, all of line 12 and "the Commonwealth is prohibited from taxing such sales" in line 13 and inserting in lieu thereof: "outside this Commonwealth, the taxing of the storage use or other consumption of which is prohibited."

Amend Sec. 102, page 6, line 4, by striking out "sales of."

Amend Sec. 102, page 6, line 6 by inserting after "property" "or in producing public utility service."

Amend Sec. 102, page 6, line 11 by inserting after "manufactured" "tangible personal property or public utility."

Amend Sec. 102, page6, line 14 by striking out "or" where it appears the first time.

Amend Sec. 102, page 6, line 14 by inserting after "manufacturing" "or prodcing."

Amend Sec. 102, page 6, line 15, by inserting after "horticulture" "or (III) which is to be used in the production or delivery of public utility service."

Amend Sec. 102, page 7, line 1 by striking out "Property" and inserting in lieu thereof: "Tangible personal property."

Amend Sec. 102, page 7, line 7 by inserting after "Acquiring" "tangible personal property."

Amend Sec. 201, page 9, line 17 by striking out "An excise" and inserting in lieu thereof: "(A)."

Amend Sec. 202, Page 10, lines 1 and 2, by striking out "two per centum (2%)" and inserting in lieu thereof: "one per centum (1%) ."

Amend Sec. 202, page 10, line 8, by striking out "fifty cents" and inserting in lieu thereof: "one dollar."

Amend Sec. 202, page 10, lines 10 and 12, by striking out all of said lines.

Amend Sec. 202, page 10, line 13, by striking out "(4)" and inserting in lieu thereof: "(3)."

Amend Sec. 202, page 10, line 14, by striking out "fifty cents" and inserting in lieu thereof "dollar."

Amend Sec. 405, page 18, line 15, by inserting after "Appeal" "Refund."

Amend Sec 405, page 22, by inserting between lines 2 and 3

(d) Refunds of taxes paid under this act, shall be made under the provisions of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) known as "The Fiscal Code" and its amendments.

Amend Sec. 501, page 29, line 5 by inserting after "purposes" "in so far as permitted by the requirements of the Constitution of Pennsylvania."

Amend Sec. 602, page 29, line 14 by inserting after "consumption" "pursuant to purchases made."

Amend Sec. 602, page 29, line 14 by inserting after "and" "for a period of two years."

The SPEAKER. Will the House give unanimous consent to the offering of admendments at this time?

Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr Speaker, we have no objection to the amendments, but would the Majority Leader care to inform the Members of the House as to whether the bill, being amended, will be brought to a final vote tomorrow?

The SPEAKER. Will the gentleman from McKean permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker. In answer to the gentleman's question, it is our hope to bring the bill to a final vote tomorrow.

Mr. LOVETT. Mr. Speaker, I move that the sections be read at length so that we understand just exactly what is being done.

Mr. JOHNSON. In order to shorten the work of the House, I wonder if the gentleman would be willing to just let me explain the amendments as offered? Would he accept that in lieu of his motion?

Mr. LOVETT. I will be glad to do so, Mr. Speaker.

Mr. SPEAKER. Will the gentleman withdraw his motion?

Mr. LOVETT. I will withdraw my motion.

Mr. JOHNSON. Mr. Speaker, I want to say that the amendments which we are offering are cutting the tax bill,—in fact we will offer amendments to both bills—cutting the bills back to one percent. Now you might say, "Why don't you make up your mind? Why do you not have it two or one?" That is a fair question. I want to say that the reason we are putting the tax back to one percent is because we have a new appraisal of the amount that one percent will bring in if properly enforced by the tax authorities. We have estimates that it will bring in enough money with what budget cuts we contemplate that we will be able to drop four of the so-called hodge-podge nuisance taxes that we put on last Session. Therefore, it will mean retaining the one percent put on corporations last Session, and it will mean retaining the accelerated corporate tax payments. - - -

Mr. ANDREWS. Will the gentleman yield for an inquiry?

The SPEAKER. Will the Majority Leader yield to the minority Leader?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Would the Majority Leader care to state what alleged hodge-podge taxes he proposes to repeal?

Mr. JOHNSON. I might say to the gentleman, I realize that I was a little verbose in my explanation of these amendments, but I think that in order to explain the amendments, I will have to explain the reasons therefor. We would plan to drop the realty transfer tax. We would plan to send the tax on mutual insurance corporations back to Committee. We would plan to let out of Committee the present bill which cuts collateral inheritance tax from 15 back to 10, and also let out of Committee the bill which restores to buses and various other lines the exemptions which we took away from them last Session.

Mr. ANDREWS. I thank the gentleman. That is a pretty good bargaining position for a few votes.

Mr. JOHNSON. It is designed to get votes from the other side of the aisle. I might add further that it is the will of the Republican Caucus that the tax be made a temporary measure, so that one of the amendments cuts the time of the tax to a period of two years after final enactment. So it would, with these amendments, be a temporary tax.

The other amendments are corrective amendments which, when we tried very meticulously several weeks ago to define fabrication, and so forth we found that we did not do a very good job in defining it insofar as the tax on the gross receipts of utilities was concerned, and we are correcting that error which was made, and was never intended to be made, by these amendments. That is the gist of the amendments which will be offered on both bills.

Mr. ANDREWS. A further inquiry Mr. Speaker, if the Majority Leader would permit.

The SPEAKER. Will the Majority Leader permit himhelf to be interrogated further

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Would the Majority Leader care to inform the House what was the original expert estimate on the yield on a one percent sales tax

Mr. JOHNSON. Mr. Speaker, I would prefer not to give those figures at this time. I have given you the gist of the amendments and the reason therefor, and I think your question may not be exactly in order. I intend, tomorrow if the bill comes up to a vote, to deal at length with that matter about which you are interrogating me at the present time.

Mr. ANDREWS. Mr. Speaker, I would suggest that it might help the thinking of the majority if they knew just how much you expected to raise from a one percent sales tax and what the difference was between the original estimate and the present yield

I have no power to require the Majority Leader to answer the question, but I would like to know for the information of the public just what the margin of error was in the original estimate and what reason there is to believe that the revised estimate is any closer to the facts.

Mr. JOHNSON. Mr. Speaker, really, I do not mind answering the question. I think it is a fair question.

While I do not have the figures with me, I will give you approximately what the figures are. The original estimate of one percent was based on sales in Pennsylvania of seven and a half billion dollars a year. Take one percent of that and you get $70 million, which is the figure in the tax study report. Five million was knocked off for purposes of possible error.

If you take that same figure, which is the figure that is reported to the Federal Bureau of the Census of retail sales in Pennsylvania, and taking a comparable figure in other states which have a sales tax, and take their sales measure and glean from those figures what today other states collect on the same basis, we find that it varies anywhere from 98 percent potential to 153 percent. California collects 153 percent. In other words, in California they would collect not $70 million, but $105 million for one percent per year. They had that in California because they have an expert auditing force that goes around and properly surveys all the returns and makes investigations of upwards of 25 percent of the returns. That is the reason why California gets that good percentage, and it comes by reason of the one cent tax on small items.

If you take that same figure and apply it to the other states—some states are 137 percent, some states 141, some 120. The medium percentage is 137. If you apply that to Pennsylvania, you get around $172 million.

Mr. ANDREWS. Mr. Speaker, I thank the Majority Leader and I thank the anonymous voice which says, "Tell them nothing." It is a bargain. You tell us nothing, and we will give you no votes.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 909, as follows:

An Act to provide revenue by imposing an excise tax on retail sales of tangible personal property to consum-

ers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes

PERMISSION GRANTED TO RECONSIDER VOTE ON HOUSE BILL 909

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to move that the vote by which House Bill 909, Printer's No. 123, passed third reading on April 13, be reconsidered.

The SPEAKER. Will the House give its unanimous consent for the making of this motion? Is there objection? The Chair hears none, and consent is granted.

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which House Bill No. 909, Printer's No. 123, entitled:

An Act to provide revenue by imposing tax on retail sales of tangible personal property to consumers; providing for the assessment and collection of the same and the settlement and resettlement thereof and appeals therefrom; imposing duties upon prothonotaries in connection therewith; prescribing penalties; and providing for the use of the proceeds of such tax for public school purposes.

passed third reading on April 13, 1953, be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on the third reading of this bill?

Mr. HELM. Mr. Speaker, I voted in the mapority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title, by striking out "an excise" and inserting in lieu thereof: "a".

Amend Sec. 102, page 4, line 16, by striking out "retail dealer" and inserting in lieu thereof: "seller".

Amend Sec. 102, page 4, line 18, by striking out "retail dealer" and inserting in lieu thereof: "seller".

Amend Sec. 102, page 5, line 1, by striking out "retail dealer" and inserting in lieu thereof: "seller".

Amend Sec. 102, page 5, line 2, by striking out "retail sales" and inserting in lieu thereof: "sales at retail".

Amend Sec. 102, page 5, line 7, by striking out "otherwise" and inserting in lieu thereof: "the gross receipts from which are".

Amend Sec. 102, page 7, line 5, by inserting after "Property" "or in producing public utility service."

Amend Sec. 102, page 7, line 10, by inserting after "Manufactured" "tangible personal property or public utility."

Amend Sec. 102, page 7, line 13, by striking out "Or" where it appears the first time in said line.

Amend Sec. 102, page 7, line 13, by inserting after "Manufacturing" "or producing."

Amend Sec. 102, page 7, line 15, by inserting after "Culture" "or (III) which is to be used in the production or delivery of public utility service."

Amend Sec. 102, page 7, line 17, by inserting after "(P)" "Sales of tangible personal".

Amend Sec. 201, page 9, line 6, by striking out "An excise" and inserting in lieu thereof: "A"

Amend Sec. 202, page 9, lines 10 and 11, by striking out "two per centum (2%)" and inserting in lieu thereof: "one per centum (1%)".

Amend Sec. 202, page 9, line 16, by striking out "fifty cents" and inserting in lieu thereof: "one dollar".

Amend Sec. 202, page 9, lines 17, 18, 19 and 20, by striking out all of said lines and inserting in leiu thereof

"(3) On each sale where the consideration is in excess of one dollar, the tax shall be one cent on each additional dollar or fraction thereof."

Amend Sec. 204, page 10, line 19, by striking out "two per centum (2%)" and inserting in lieu thereof "one per centum (1%)."

Amend Sec. 204, page 11, line 3, by striking out "two per centum (2%)" and inserting in lieu thereof "one per centum (1%)."

Amend Sec. 204, page 11, line 4, by inserting after "deduction" "other than the compensation allowed by section two hundred thirteen of this act."

Amend Sec. 212, page 14, line 20 and page 15, line 1, by striking out "gross receipts" and inserting in lieu thereof "sales prices."

Amend Sec. 212, page 15, line 2, by striking out "gross receipts" and inserting in lieu thereof "a sales price."

Amend Sec. 303, page 18, line 5, by inserting after "($10)" "per month."

Amend Sec. 405, page 24, line 6, by inserting after "Appeal" "Refund."

Amend Sec. 405, page 27, by inserting between lines 14 and 15

"(d) Refunds of taxes paid under this act shall be made under the provisions of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343) known as "The Fiscal Code," and its amendments."

Amend Sec. 601, page 35, line 7, by inserting after "purposes" "in so far as permitted by the requirements of the Constitution of Pennsylvania."

Amend Sec. 702, page 35, line 15, by inserting after "and" where it appears the second time in said line "for a period of two years."

The SPEAKER. Will the House give unaminous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. STIMMEL asked and obtained unaimous consent to add additional sponsors to a bill to be introduced by him.

Mr. BOLTON asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. DAVIS asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome a

former Member of the House from Westmoreland County. Honorable David H. Weiss.

RECONSIDERATION OF VOTE

Mr. READINGER. Mr. Speaker, I move that the vote by which House Bill 626, Printer's No. 130, entitled:

"An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "Tractor Code" by further regulating the length of tractors and combinations of vehicles; further limiting where informations charging violations of summary provisions of said act may be brought."

was defeated on final passage, Tuesday, April 21, 1953, be reconsidered.

Mr. ANDREWS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger vote on the final passage of this bill

Mr. READINGER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cambria, Mr. Andrews vote on the final passage of this bill

Mr. ANDREWS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion

Mr. JOHNSON. Mr. Speaker, I thank the gentleman from Berks, Mr. Readinger, and the gentleman from Cambria, Mr. Andrews for offering this reconsideration motion.

This bill was defeated last week, as I understand it, under a misapprehension, is now being put back on the calendar to correct the mistake made at that time and give the bill its proper consideration.

Mr. ANDREWS. The Majority Leader is right. We labored under a misapprenhension. Our thinking probably had been colored by the indecision characteristic of the majority.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES—Mr. McCullough, Chairman, Room 331, Tuesday, April 28, at 11:00 a. m. DST.

FISHERIES—Mr. Stimmel, Chairman, Room 331, Tuesday, April 28, at 10:00 a. m. DST.

HIGHWAYS—Mr. Royer, Chairman, Room 329, Tuesday, April 28, at 12:30 a. m. DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Tuesday, April 28, at 10:15 a. m. DST.

LABOR RELATIONS—Mr. Young, Chairman, Room 323, Tuesday, April 28, at 11:00 a. m. DST.

LAW and ORDER—Mr. Toomey, Chairman, Room 325, Tuesday, April 28, at 11:00 a. m. DST.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Tuesday, April 28, at 10:45 a. m. DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Tuesday, April 28, at 12:00 noon DST.

PUBLIC HEALTH and SANITATION—Mr. Frost, Chairman, Room 522, Tuesday, April 28, at 10:00 a. m. DST.

TOWNSHIPS—Mr. Reagan, Chairman, Room 521, Tuesday, April 28, at 10:30 a. m. DST.

WORKMEN'S COMPENSATION Breakfast which was originally scheduled for tomorrow will be held May 4, 1953.

ANNOUNCEMENT

Here is a reminder from the Pennsylvania Legislative Correspondents' Association on the 29th Biennial Gridiron Dinner. The dinner will be held May 13 at the Penn-Harris Hotel at 7 P. M.

The Gridiron Dinner will feature skits poking fun at the Legislature and the Administration. The keynote is "Fine's Folly." General "Aw Nuts" McAuliffe will be the principal speaker.

ADJOURNMENT

Mr. SUCHER. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 28, 1953 at 12:30 p. m. EST.

The motion was agreed to, and (at 5:10 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, APRIL 28, 1953. No. 33.

SENATE

TUESDAY, April 28, 1953.

The Senate met at 10:00 o'clock a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. C. HARRY KEHM, Pastor of Grace Evangelical and Reformed Church, Allentown, offered the following prayer:

Let us pray.

Almighty and everlasting God, our heavenly Father, meet with us this morning. Let Thy spirit cleanse our hearts and our minds, and let Thy spirit of unity and peace fill us in all our thinking. Guide us with Thy wisdom; protect us by Thy power.

We pray Thee, Heavenly Father, to forgive us of all our sins and shortcomings, and through Thy Son, Jesus Christ, and His righteousness, help us to do His will for Thy sake, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. WOOD, due to serious illness in the family.

He also asked and obtained leave of absence for Mr. SNOWDEN, due to illness.

STUDENTS FROM THE SHIPPENSBURG HIGH SCHOOL PRESENTED TO SENATE

Mr. WADE. Mr. President, we are honored today by a visit from a very distinguished group of young folks, 105 pupils from the senior class of the Shippensburg High School, in Cumberland County. They are accompanied by their instructors, Mrs. Samuel Daihl, Mr. Paul Rickenbaugh, Mr. Roy Mower, Mr. William Angle and Mr. Roy Shreffler.

The PRESIDENT. Will the guests of Senator Wade please rise in place and take a bow?

REPORTS FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MILK CONTROL COMMISSION

Joab K. Mahood, Troy, from March 5, 1952, until May 1, 1953, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. John McK. Mitchell, Dean, School of Medicine, University of Pennsylvania, Philadelphia, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, to serve until August 1, 1953, and until his successor shall have been appointed and qualified, vice Hon. Harold E. Stassen, Philadelphia, resigned.

JOHN S. FINE.

REPORTS FROM COMMITTEES

Mr. PROPERT, from the Committee on Banking, reported as amended Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of section 1208, and section 1209 of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking asosciations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all

such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments of savings banks.

Mr. KOPRIVER, JR., from the Committee on Local Government, reported as committeer Senate Bill No. 473, entitled:

An Act to further amend subsection A of Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by authorizing as Authority projects, buildings, grounds and structures for the purpose of holding farm shows.

He also, from the Committee on Local Government, reported as committed House Bill No. 885, entitled:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of surveyors not resident in the county to boards of viewers in counties of the eighth class.

Mr. BANE, from the Committee on Education, reported as amended Senate Bill No. 219, entitled:

An Act to further amend section 1169 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by excusing school districts from payment of salary to teachers on sabbatical leave who receive a grant equal to or exceeding their salary payable during the year of leave.

He also, from the Committee on Education, reported as committed Senate Bill No. 468, entitled:

An Act to amend Section 516.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto;" by extending the area in which school directors may attend certain meetings.

Mr. RUTH, from the Committee on Education, reported as committed Senate Bill No. 67, entitled:

An Act to amend subsection (a) of section 2 of the act approved the twenty-third day of May, 1945 (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for volations of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," by further defining the practice of engineering.

He also, from the Committee on Education, reported as committed Senate Bill No. 70, entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and authorizing or ratifying payments on such contracts by the school district.

Mr. LETZLER, from the Committee on Education, reported as committed Senate Bill No. 450, entitled:

An Act relating to the establishment and operation of educational television stations; conferring powers and imposing duties upon the Department of Public Instruction.

He also, from the Committee on Education, reported as committed Senate Bill No. 451, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, rivising, consolidating and changing the laws relating thereto," by authorizing certain contracts relating to television

He also, from the Committee on Education, reported as amended Senate Bill No. 452, entitled:

An Act to reenact and further amend section four of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing educational television stations.

Mr. PECHAN, from the Committee on Education, reported as committeed Senate Bill No. 287, entitled:

An Act to further amend Section 11 of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth

of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties"; by providing for retroactive service allowance of certain employes.

He also, from the Committee on Education, reported as committed Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by further regulating compulsory attendance of pupils.

BILLS INTRODUCED AND REFERRED

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 534, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defects, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by permitting temporary restraint of one alleged to be mentally ill.

Which was committed to the Committee on Public Health and Welfare.

Messrs. STEVENSON, MALLERY, MAHANY, YOSKO and LANE read in place and presented to the Chair Senate Bill No. 535, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the liens of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divesticure by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor, creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commisioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims, giving of notice, claims becoming absolute, filing of exceptions and the holding of sales.

Which was committed to the Committee on Local Government.

Messrs. MALLERY and LANE read in place and presented to the Chair Senate Bill No. 536, entitled:

An Act to add Section 5.1 to the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be acecpted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by requiring suspension of operator's licenses and motor vehicle registration certificates on reciprocity with other states or the District of Columbia.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President and Members of the Senate, a nine man committee, working within the State Government Committee, has just released a report of a "'Study of Weights of Trucks." There are many questions being asked by the people of Pennsylvania as to how their findings were obtained.

Mr. PRESIDENT, this committee of nine had only two Democrats on the committee. As stated by the Chairman, Representative Royer, they hired their own engineers. Who were the engineers? Were they the kind whose services can be had on either side in a court trial for a fee? Were they experienced road builders, or merely the kind who use an unproven formula to prove a point? "X plus Y plus Z" engineers are available at a dime a dozen,—but road builders are scarce and hard to get.

Mr. PRESIDENT, the chairman also said the Secretary of Highways was not consulted. No engineer hired by this committee could come near the experience and the honestry of Mr. Schmidt, the head of our Highway Department. Mr. Schmidt has had years of experience in engineering and building roads. He is recognized throughout the United States as an authority on roads and highway problems. He has worked under both parties, for the Democrats and Republicans have recognized his abilities. Mr. Schmidt has always approached the problem of road building through the eyes of those who pay the taxes. He has been fearless, and could never be influenced to give a decision because any "special interest" has made a large contribution to the campaign of either party or both parties. Mr. Schmidt's first thoughts are always to safeguard Pennsylvania roads and the public who uses them. This is the man who was ignored by this group in their survey.

Mr. PRESIDENT, is it a coincident that the findings of this committee are the same findings as the "Big Truckers'" engineers? What has this committee to say on what effect this boxcar truck has on the streets of the boroughs, the townships and the cities of Pennsylvania? What does this committee have to say on what effect this excessive weight will have on the sewers and bridges of our boroughs, our townships and our cities? The streets and sewers in the boroughs, townships and cities are not paid for out of gasoline taxes. The building of streets and sewers is paid by assessments on the home owners as a permanent im-

provement in their townships, boroughs and cities. The maintenance of streets and sewers after they are built are paid out of real state taxes, paid by the little home owner. These little home owners cannot collect $76,000 to be used as a political contribution to buy favors. The little home owner is too busy paying off the mortgages on his home, and paying the local real estate taxes to have good streets in his community.

Mr. PRESIDENT, have you ever been in a home in the city, or a township or borough when big trucks pass? The vibration cracks the plaster and shakes the very foundation of the home. I will be glad to take any Member of this Senate to Pittsburgh over the weekend and show him, on the South Side, what big trucks have done to the homes on our narrow streets. I will let them talk to housewives who have sat in the middle of the streets as a human barricade.

Mr. PRESIDENT, have we never learned the lesson of permitting "special interests" to destroy, just to make it more profitable for them? We permitted the mine owner to pollute our streams. We allowed industrialists to pour their waste and acids into our rivers and destroy the fish that God placed there to feed our people. We permitted strip miners to deface and destroy the beauty of God in our hills and valleys, and make the land unusable. We permitted the railroads to run longer and longer trains with fewer and fewer men.

Mr. PRESIDENT, what is happening today is the result of some Legislatures in the years gone by that have been influenced by "special interests" in their deliberations. We are spending millions of dollars of taxes to correct the mistakes of past Acts of the Assemblies.

Mr. PRESIDENT, are we going to get into line, as they say, with other States whose roads do not compare with ours? We who are to sit in judgment as to whether or not our roads are to be handed over to the truck owners of Pennsylvania, to do with them as they wish for their financial gain have to make a momentous decision. This decision should not be made until the head of our own Pennsylvania Highways has had an opportunity to study the Report of the State Government Committee. The Secretary of Highways has the responsibility of building and maintaining our great network of roads.

Mr. PRESIDENT, we should not do anything regarding truck weights until the Secretary of Highways makes known his attitude on the report, and the effect on our roads that increased truck loads would have if legislation is passed increasing weights of trucks. The Borough and Township Associations should be consulted. The Third Class Cities should be heard from, as well as county governments.

Teherefore, Mr. President, I am offering a resolution, requesting that the Report of the State Government Committee on truck weights be referred to the Secretary of Highways for his study and report on what effects these recommendations for increased weights would have on the highways, streets and bridges in our Commonwealth.

RESOLUTION REFERRED TO COMMITTEE REQUESTING SUBMISSION OF REPORT OF FINDINGS TO SECRETARY OF HIGHWAYS BY JOINT STATE GOVERNMENT COMMITTEE STUDYING PROBLEM OF INCREASED WEIGHT LIMITS OF TRUCKS

Messrs. HOLLAND and LANE offered the following resolution which was twice read as follows:

In the Senate, April 28, 1953.

Whereas, The Joint State Government Subcommittee has recently released a preliminary report recommonding increased weights of box car big trucks and

Whereas, The Chairman of the subcommittee stated to the public press that the Committee had at no time consulted with the Secretary of Highways or had requested information or advice as to the ultimate effect the increased weight limits might have on the highways and bridges of the Commonwealth, and

Whereas, The counties, boroughs, townships, and cities of our Commonwealth have not been consulted on the recommendations of the Subcommittee as to their position on the damages which might be sustained to the roads, streets, sewers, and bridges of the political subdivisions of the Commonwealth, and

Whereas, The political subdivisions of the Commonwealth bear a great proportion of the cost of the construction and maintenance of their bridges, streets, and sewers, and said revenue is derived mainly by the assessment of real estate for taxes, therefore be it

Resolved, That the Joint State Government Committee studying the problem of increased weight limits of trucks do hereby submit a report of their findings to the Secretary of Highways for further study and comment, and

Be it Further Resolved, That the Secretary of Highways be instructed to meet with the elected representatives of the various political subdivisions of the Commonwealth for the purpose of receiving their advice and counsel as to the ultimate effect that increased weight limits might have on the streets, highways, bridges, and sewers under their jurisdiction.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WAGNER. Mr. President, I object to the immediate consideration of the resolution, and if I may have unanimous consent to make a report now, I will make my reasons for it more clear.

The PRESIDENT. There being objection, the resolution is referred to the Committee on Highways.

Now, If the Senator from Schuylkill desires to make a statement, he may request unanimous consent.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, normally I should have made this report under the heading of "Reports of Committees' this morning. However, I was in the phone booth speaking to a long-distance constituent and I missed that.

The report that I have to make, Mr. President, is a report from the Joint State Government Commission on the study which has been made on highway uses and costs. It becomes rather obvious that inasmuch as copies of this report for the Members of the Senate are in the office of the President pro tempore, and will be distributed in a matter of moments, I should think that everybody here would like to read the report to which the Senator from Allegheny, Mr. Holland, referred, and know what the findings of the Commission are before they start introducing resolutions as to what not to do with it before such and such a thing is done.

Mr. President, I do not know whether Senator Holland speaks for the Secretary of Highways, whom he quotes time and time again. I have some doubt about that. However, I do think that this is a rather comprehensive and complete report on this highway use and cost and weight proposition. It is probably the most scientific and carefully prepared one that was participated in by Members of both parties in the Senate. I think it is the most comprehensive job that has been done on this trucking situation in my time in the Legislature.

Therefore, Mr. President, I would like to present to the Chair the Report of the Commission and to assure the Members that it would be well worth their reading when copies are placed upon their desks.

REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION

DEALING WITH HIGHWAY USE AND HIGHWAY COSTS

Mr. WAGNER. Mr. President, I ask unanimous consent to make a report from the Joint State Government Commission at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, on behalf of the Joint State Goverment Commission, submitted the following report, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
OF THE GENREAL ASSEMBLY

P. O. Box 61
Room 450—Capitol Building
Harrisburg

April 28, 1953

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith A Report of the Joint State Government Commission, Session of 1953, dealing with Highway Use and Highway Costs.

Copies of this report for distribution to the members of the Senate have been delivered to the office of the President Pro Tempore of the Senat.

Respectively submitted,
/s/ Baker Royer
Baker Royer
Chairman

The PRESIDENT. The communication will be spread upon the Journal, and the report will be printed in full in the Appendix.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, it seems strange that this report was given to the newspapers before it was given to the Members of the General Assembly. All three newspapers in the city of Pittsburgh have written extensively on this report. All three newspapers have requested that the report be submitted to the Secretary of Highways for further study, and even went further in asking that the boroughs, townships and the cities be consulted on the report.

Mr. President, I think this is another case where reports are given out before the Members of the General Assembly receive them, as it was with the Chesterman Committee Report. When we wanted to read about the Chesterman Committee, we had to read the newspapers first. This is another case of the mess here in Harrisburg.

THE HONORABLE CYRUS M. PALMER, PRESIDENT-JUDGE, COURT OF COMMON PLEAS, SCHUYLKILL COUNTY, PRESENTED TO SENATE

The PRESIDENT. The Chair wishes to call attention to the presence of one of the most distinguished jurists in the Commonwealth, the President-Judge of the Court of Common Pleas of Schuylkill County, the Honorable Cyrus M. Palmer.

The Chair would like very much to have His Honor rise in place and take a bow at this time.

STUDENTS FROM BUCKINGHAM FRIENDS SCHOOL PRESENTED TO SENATE

The PRESIDENT. The Chair is delighted to see in the right rear of the Senate some visitors who are guests of Senator Watson, of Bucks County, from the Buckingham Friends' School. Will they please rise in place and take a bow?

REPORTS FROM COMMITTEES

Mr. HALUSKA. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA, from the Committee on Banking, reported as committed, Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as amended House Bill No. 112, entitled:

An Act to further amend Section 1 of the act, approved the thirtieth day of March, one thousand nine hundred fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," by further regulating the hours of duty of firemen in cities of the second class.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations repodted at today's session.

Which was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Jannary 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MILK CONTROL COMMISSION

Joab K. Mahood, Troy, from March 5, 1952, until May 1, 1953, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg April 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. John McK. Mitchell, Dean, School of Medicine, University of Pennsylvania, Philadelphia, for appointment as a member of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, to serve until August 1, 1953, and until his successor shall have been appointed and qualified, vice Hon. Harold E. Stassen, Philadelphia, resigned.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	Mallery,	Stiefel,
Berger,	Harney,	McCusker,	Taylor,
Blass,	Holland,	McGinnis,	Toole,
Camiel,	Kephart,	McMenamin,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Crowe,	Kopriver, Jr.	Miller,	Walker,
Dent,	Lane,	Pechan,	Watkins,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Weiner,
Fleming,	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. RUTH. Mr. President, I ask unanimous consent t introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hear none.

Messrs RUTH and BERGER (By request) read in plac and presented to the Chair Senate Bill No. 537, entitled

An Act reinstating members of the Pennsylvania Stat Police Force heretofore summarily dismissed.

Which was committed to the Committee on State Gov ernment.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent t address the Senate.

Mr. DENT. Mr. President, I am presenting a series o bills, one on behalf of Senator McCusker and myself, an other one on behalf of Senator Watson and myself, an another one on behalf of the Democratic Senators, in a attempt to give to the Governor the broad powers whic have been invested in the President of the United State under the Hoover Commission Report, in order that th recommendations, those which are worth-while, made b the so-called Chesterman Committee, can, by executiv order, become part of the organization of our administra tion.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent t introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hear none.

Messrs. DENT, BANE, BARR, CAMIEL, HALUSKA HOLLAND, LANE, McCREESH, McGINNIS, McMEN AMIN, RUTH, SLIVERT, STIEFEL, TOOLE, WEINE and YOSKO read in place and presented to the Chai Senate Bill No. 538, entitled:

An Act to further amend Section 212 of the act, ap uroved the ninth day of April, one thousand nine hundre twenty-nine (P. L. 177), entitled "An act providing fo and reorganizing the conduct of the executive and ad ministrative work of the Commonwealth by the Execu tive Department thereof and the administrative depar ments, boards, commissions, and officers thereof, includin the boards of trustees of State Normal Schools, or Teach ers Colleges; abolishing, creating, reorganizing or au thorizing the reorganization of certain administrative de partments, boards, and commissions; defining the powe and duties of the Governor and other executive and ad ministrative officers, and of the several administrativ departments, boards, commissions, and officers; fixing th salaries of the Governor, Lieutenant Governor, and cer tain other executive and administrative officers; provid ing for the appointment of certain administrative officer and of all deputies and other assistants and employes i certain departments, boards, and commissions; and pre scribing the manner in which the number and compen sation of the deputies and all other assistants and em ployes of certain departments, boards and commissior shall be determined," by authorizing the Governo through reorganization plans to transfer or sonsolidat bureaus, divisions and functions and moneys appropriate or allocated therefor; and suspending laws inconsisten with such proclamations.

Which was committed to the Committee on State Gov ernment.

Messrs. DENT and WATSON read in place and presented to the Chair Senate Bill No. 539, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum for maintenance and the purchase of apparatus, supplies and equipment.

Which was committed to the Committee on Appropriations.

Messrs. DENT and McCUSKER read in place and presented to the Chair Senate Bill No. 540, entitled:

An Act authorizing the Pennsylvania Liquor Control Board to issue special temporary permits for the retail sale of malt or brewed beverages at baseball parks under certain circumstances.

Which was committed to the Committee on Law and Order.

CALENDAR

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 35, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by expanding the investment powers of State administrative departments, boards, commissions or officers.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 35

Mr. DENT. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 35 passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The CLERK read the amendments as follows:

Amend Sec. 1 (Sec. 1), page 4, by inserting after line 10 the following: "(6) Housing Authorities. Obligations of any Pennsylvania housing authority issued pursuant to the laws of the Commonwealth relating to the creation or operation of housing authorities.

"(7) Redevelopment Authorities. Obligations of any redevelopment authority issued pursuant to the laws of the Commonwealth relating to the creation or operation of redevelopment authorities.

"(8) Municipal Authorities."

Amend Sec. 1 (Sec. 1), page 4, line 18, by striking out "(6)" and inserting in lieu thereof: "(9)";

Amend Sec. 1 (Sec. 1), page 6, line 2, by striking out "(7)" and inserting in lieu thereof: "(10)";

Amend Sec. 1, (Sec. 1), page 6, line 16, by striking out "(8)" and inserting in lieu thereof: "(11)";

Amend Sec. 1 (Sec. 1), page 6, line 20, by striking out "(9)" and inserting in lieu thereof: "(12)";

Amend Sec. 1 (Sec. 1), page 7, line 5, by striking out "(10)" and inserting in lieu thereof: "(13)";

Amend Sec. 1 (Sec. 1), page 7, line 9, by striking out "(11)" and inserting in lieu thereof: "(14)";

Amend Sec. 1, (Sec. 1), page 7, by inserting after line 13 the following: "(15) Pennsylvania Parkway Commission. Obligations of the Pennsylvania Parkway Commission issued pursuant to the act of July sixteenth, one thousand nine hundred forty-one (Pamphlet Laws 386) and its amendments and supplements heretofore or hereafter enacted.";

Amend Sec. 1 (Sec. 1), page 7, line 18, by striking out "(12)" and inserting in lieu thereof: "(16)";

Amend Sec. 1 (Sec. 1), page 9, line 8, by striking out "(13)" and inserting in lieu thereof: "(17)".

On the questions,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, on third reading go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 421, on final passage, entitled:

An Act to amend the title and the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Hea'th and repealing other laws" by changing the definitions of "Board" and "Department" changing the name of the department responsible for the issuance of licenses and transferring the State Board of Funeral Directors from the Department of Health to the Department of Public Instruction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consid-

eration of House Bill No. 1, as follows:

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 At the municipal election in the year one thousand nine hundred fifty-three there shall be submitted in the manner provided by the election laws of the Commonwealth a question to determine the will of the electorate of the Commonwealth in regard to a constitutional convention. Such question shall be in the following form:

Do you favor the preparation of a new constitution by a convention?	Yes / No	_____

The question shall be printed on the official and specimen ballots or on separate official ballots in bound form by the county board of elections in each county and a sufficient number of ballots shall be furnished to the election officers in each election district of every county so that one ballot may be supplied to each voter at such election. In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes.

The results of such election shall be tabulated by the proper election officers of each county and the results thereof certified to the Secretary of the Commonwealth.

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, my purpose is not to belabor this bill or further debate on it. I think yesterday we ran the gamut of parliamentary procedure, amendments and every other type of tactic which could be used to try to prevent this bill from going through.

Mr. President, my purpose today is to ask that the bill go over in its order. My purpose for asking that is that we allow a little bit of a cooling off period, so that we can take what is known as a bipartisan view of this bill. I believe, in line with the Senator from Cumberland, Senator Wade's wishes last week were that we have harmony and unity in this group. I believe that amendments should be offered to this bill which would set up the machinery for the convention, if this bill passes and the voters want the Constitutional Convention.

Mr. President, the way the bill stands now, I believe we have what is known as a lame act. If the people want a Constitutional Convention, there is no assurance they are going to get it. If we set up the machinery for the Constitutional Convention, the people can decide whether they want to hold a Constitutional Convention, and then the machinery will automatically take over and we will not have to waste time again enacting bills of procedure which will carry out the will of the electorate.

REQUEST THAT BILL GO OVER IN ORDER

Mr. WEINER. Therefore, Mr. President, I ask unanimous consent that this bill go over in its order so that we can think this thing out clearly, so we can talk a little bit about it among ourselves and try to present amendments which would make this bill operative and not hold up this matter for another two or three years, because I believe everybody agreed here yesterday that the platforms of both parties included this measure. This is an administration bill; let us put some life into it. Let us hold it over until next week so we can get some decent amendments into it which will give it some life.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, yesterday we talked about various amendments, and we voted those amendments down. There is only one question that this bill now intends that the people should vote on, and that is the question as to whether or not they desire a Constitutional Convention held. I cannot imagine any other amendments which could possibly be offered which would be acceptable to do anything else. We discussed that all yesterday.

Mr. President, I can see no purpose in holding it over until next week. I think after we vote on this bill, it will have to go to the House for concurrence in the amendments, and I think they should have that as soon as possible so they can decide whether or not they wish to concur in the amendments made by the Senate.

Therefore, I object, Mr. President, to this bill going over, and ask that we have a vote on it today.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, my purpose was not to hold up this bill for the purpose of holding it up. My purpose was to establish some sort of machinery to go with this bill.

In other words, Mr. President, once we establish the machinery by which this Constitutional Convention can be held and made operative, and we pass this bill and the electorate vote on it, we would then just have to do the next act, to put it into effect at the next election. If the people do not want this Constitutional Convenion nothing has been lost, no time has been wasted and nothing has been hurt.

My thought is, Mr. President, if the Governor asked that this bill be introduced, he must have had something in mind or wanted this type of thing to operate. We are just trying to get the operative machinery going rather than just having this bill on the ballot and having the people vote for it, for then we are right back where we started from.

Mr. YOSKO. Mr. President, I concur with Senator Weiner's request to hold this bill over until Monday to give the Republican Majority a chance to consider its platform pledge made in 1950. I cannot talk about any other platform, because the Republican Party did not adopt a platform for the last campaign. I think it made a statement in which it said it was going to stand on the pledges made in 1950.

Mr. President, I want to refer to that portion of the platform made in 1950 on revising the Constitution. On page 68 of the Legislative Journal, Volume 32, No. 1 the Republican platform states as follows:

"We pledge to devote ourselves to the modernizing of the framework of our State Government. We advocate a State Convention to consider changes to bring the Constitution of our Commonwealth more in line with the needs of the day."

That is a positive statement, Mr. President. The platform does not say, "We will submit the question to the people." What the platform says is, "We pledge to devote ourselves to the modernizing of the framework of our State Government. We advocate a State Convention," and that is exactly what the bill which passed the House did.

As I said yesterday, Mr. President, there were two propositions incorporated in House Bill No. 1. First, the people were to decide whether or not they wanted a Constitutional Convention, and, at the same time, elect the delegates. One hundred and ten delegates were to be elected, and they were to meet next January. If they turned down the proposition of holding a Constitutional Convention, the election of the delegates would have been void. If they decided in the affirmative, the Convention would be held in January.

Mr. President, this platform pledge of the Republican Party was made in 1950. Here it is, 1953. Under this bill, as amended, amended by the Senate Committee on Constitutional Changes and Federal Relations, the Republican Party cannot possibly carry out its intent and its pledge to the people of Pennsylvania.

Mr. President, I want to turn to the pledge made by the Democratic Party on the same question. On page 72 of the same Legislative Journal, the Democratic platform stated as follows:

"The structure of the present state government was established in 1874. It is outmoded and archaic, inadequate to meet the needs of modern times. A new Constitution geared to the present day responsibilities and obligations of state government is necessary if we are to have a government operating in an efficient business-like way."

Mr. President, I repeat that both Party pledges were incorporated in House Bill No. 1 as passed by the House, but as revised by the Senate, it is impossible to carry out either the Democratic pledge or the Republican pledge. I, therefore, suggest that this bill go over so that the Republican Members in the Senate can give additional consideration to their pledges, and amend this bill so that the machinery can be restored in House Bill No. 1 in order that if the people of Pennsylvania, at the November election, vote to hold a Constitutional Convention, it can be held next year and not at some time in the future, an indefinite time at that.

Mr. President, I said yesterday, and I repeat today, that perhaps there is a motive behind the Republican Majority's amending House Bill No. 1 to take out the Constitutional Convention machinery, and to delay a Constitutional Convention from 1954 to some future time. I said yesterday that next year is State election year, and, of course, if we have a Constitutional Convention, I am assuming that the delegates, if they would meet, would have to argue and debate the new provisions of the Constitution, which would involve the mess here in Harrisburg. What I believe is that the Republican Majority is afraid of the publicity which would result from a discussion of the mess that exists here, and, therefore, would reflect upon the result of the election in November of 1954.

Mr. President, let us act with courage and let us carry out our platform pledges. We have a chance to do it now and not at some time in the future.

The PRESIDENT. When Senator Weiner requested that the bill go over in order, the Majority Floor Leader objected. Now, does the Senator from Northampton wish to move that the bill go over in order?

MOTION THAT BILL GO OVER IN ORDER

Mr. YOSKO. Mr. President, I move that House Bill No. 1 go over in its order.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I rise to oppose this motion. I feel that we, as I said, discussed these possible amendments yesterday. I think the feeling of this Senate, or a Majority of the Senators, is that this is such an important question to the people of the Commonwealth of Pennsylvania, that they should first decide whether or not they want a Constitutional Convention and if they do, then the machinery can be set up. It would be impossible to set up any exact machinery at this time until we know whether or not the people want this Constitutional Convention, because we would not know exactly what time the Convention should be called and various things in connection with it would have to be decided at a later date.

Therefore, Mr. President, I feel that this bill should not go over but should be voted on right now.

Mr. WEINER. Mr. President, I would like to interrogate the Majority Floor Leader.

The PRESIDENT. The Chair wishes to remind the Senator that this motion is not debatable. However, if you wish to interrogate the Majority Floor Leader, will the Majority Floor Leader permit himself to be interrogated?

Mr. MAHANY. Yes, if the questions are in order, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. WEINER. Mr. Mahany, would you tell me what effect it would have if we set up the machinery to go with this bill? How would that in any way hurt this bill or hurt this referendum?

Mr. MAHANY. Well, Mr. President, I do not think that question is in order right now. I feel that can be discussed when we discuss the bill.

Mr. President, the question now before us is whether or not the bill should go over, and the question of Senator Weiner is not in order. I am not trying to shirk the question or get away from it, but I will answer that at a later time.

Mr. WEINER. Mr. President, my thought and purpose was not to embarrass the Majority Floor Leader. He mentioned, in talking on this question on which we are going to vote, that the reason he was against this procedure was that he had some idea it would affect the referendum, and I was just trying to get that clear in my own mind.

Mr. MAHANY. Mr. President, I will be glad to answer the question after the disposition of the motion that is now before the Senate.

Mr. LANE. Mr. President—

The PRESIDENT. For what purpose does the Senator rise?

Mr. LANE. Mr. President, in view of the fact that the Majority Floor Leader arose to oppose this motion, I feel it is in order that I should rise and support this motion, and I would like to have the floor for a few moments.

The PRESIDENT. If there is no objection, the Senator will proceed.

Mr. LANE. Mr. President, yesterday we debated this bill in detail and the membership of the Minority Party endeavored to point out to the membership of the Majority Party their mistakes in ripping this bill to pieces in committee.

Today, Mr. President, we have it before us on final passage. In my opinion, if this bill is passed in its present form, we members of the Senate are perpetrating a fraud upon the qualified electorate of the Commonwealth of Pennsylvania.

I say also, Mr. President, that if the Republican Majority votes down our motion to let this bill go over in order, and passes it today, they are indicating and proving to the people of Pennsylvania they are not responsible, they are not capable of being the Majority Party in Pennsylvania, because what they have done is that they have repudiated a plank in their platform on which they were elected.

Mr. President, this bill should go over in order so that we can have a public hearing. This is of major importance to all of the people of Pennsylvania, and I ask the membership on both sides to support our motion that this bill go over in order.

And the question recurring,

Will the Senate agree to the motion?

Mr. YOSKO. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. WADE. Mr. President, not hearing my name called, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Cumberland will be so recorded.

Mr. LANE. Mr. President, not hearing my name called, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman from Washington will be so recorded.

Mr. CROWE. Mr. President, not hearing my name called, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Monroe will be so recorded.

Mr. KOPRIVER, JR. Mr. President, not hearing my name called, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were required by Mr. YOSKO and Mr. LANE, and were as follows, viz:

YEAS—15

Bane,	Holland,	McGinnis,	Stiefel,
Barr,	Lane,	McMenamin,	Weiner,
Dent,	Leader,	Ruth	Yosko,
Haluska,	McCreesh,	Silvert,	

NAYS—27

Berger,	Hare,	McCusker,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Chapman,	Kessler,	Miller,	Walker,
Crowe,	Kopriver, Jr.	Pechan,	Watkins,
Diehm,	Madigan,	Peelor,	Watson,
Fleming,	Mahany,	Propert,	Wolfe,
Freed,	Mallery,	Stevenson,	

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President ,this vote is due proof to the people of Pennsylvania that the Republican Majority in this Senate of Pennsylvania does not trust the people of Pennsylvania. I say to you that at the next election, the citizens of Pennsylvania will not trust the Republican Party because you are giving them a pig in a poke. This bill is a farce, it is a fake, and all of you know it.

Mr. WEINER. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDENT. Will the Majority Floor Leader, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. WEINER. Senator Mahany, would you inform my colleagues and me how setting up the machinery for the convention, once it has been proved by the people that they want a Convention, will hurt, or in any way hinder, this bill if we tack it on as an amendment?

Mr. MAHANY. Mr. President, setting up the machinery and providing for the election of delegates and so on, as I said yesterday, might prevent good people from going out and campaigning for a job which they were not sure would be in existence if they won. I gave as an example yesterday my good friend, John Fertig, now deceased, who I thought was one of the foremost constitutional lawyers in the State of Pennsylvania. At one time he desired to attend a Constitutional Convention and aid in the making of a new Constitution for the State of Pennsylvania. He ran for the position of delegate to the Convention and, at the very same election at which he was elected, the people voted down the question at which he was elected, the people voted down the question as to whether they wanted a Constitutional Convention.

Now, Mr. President, historically, as was pointed out yesterday, this is the way to have a Constitutional Convention. The only way that members of a Constitutional Convention have been mandated by the people and approved is by first submitting the question to them as to whether they want a Constitutional Convention. As was pointed out, that is the way in which the present Constitution, under which we are operating, was adopted. One year they put the question before the people as to whether they wanted one, and then they set up the machinery in the succeeding year.

Mr. President, over a hundred years have elapsed since we had this Constitution, and a couple years more will not make the heavens fall down upon us if we do not have a Constitutional Convention next year. I think we can struggle along with this one for a couple more years, and then if the people this year decide they want to have a Constitutional Convention, we can set up the machinery and next Session decide how many delegates there shall be at large, how many shall run in the districts, how many there should be and all of that. We can give it

real study next Session, so that there will not be any hurry up job in relation to the machinery.

Mr. President, suppose, for instance, a voter wants to vote "yes," that he would like to have a Constitutional Convention, but he does not like the way the thing has been set up by us. What chance has he got then? How is he going to vote on that kind of a deal? He would like to have a Constitutional Convention, but he does not want to have any delegates at large to it. We certainly should have the right, at the next Session of the Legislature, to decide how this Constitutional Convention machinery shall be set up.

The PRESIDENT. Does that answer your inquiry, Senator Weiner?

Mr. WEINER. Mr. President, I do not believe it does. I would like to further interrogate the Majority Floor Leader.

The PRESIDENT. Will the Senator "superimpose" further information?

Mr. MAHANY. Mr. President, I know I will not be able to convince the gentleman from Philadelphia, Senator Weiner, but I will be glad to answer the questions.

Mr. WEINER. Senator Mahany, if we had an amendment which said, "If the people accept this referendum and decide they want a Constitutional Convention, then and only then will this machinery go into effect"—in other words, we do not have to set up an amendment now which makes it mandatory that it happen at the same election. In other words, if this referendum goes on the ballot in November, and the people then decide that they want a Constitutional Convention, why can we not now, at this point, set up an amendment to House Bill No. 1, the further proviso that if they wish to have it the following primary or general election they will then vote on delegates? We would then have a place set up for the meeting and all the other necessary implements and data that must go with that type of machinery.

Mr. MAHANY. Mr. President, I think that would be rather indefinite. Of course, we do not have such an amendment before us. The only thing which is before us now is whether or not we want to vote on a bill to provide a referendum for the people of Pennsylvania for a Constitutional Convention. That is the only issue before us right now, and I think it is up to the Senators here present to either vote "yes" or "no" on that question. That is all we have before us, Mr. President.

Mr. WEINER. Mr. President, I would ike to remind the Majority Floor Leader that earlier I asked for a bipartisan approach. There is no question in my mind that if he saw fit, in his infinite wisdom and judgment, he could round up the number of votes necessary and put through such an amendment. I would not offer this amendment, because I know it would be very easily defeated if the Majority Floor Leader felt that he did not like it or did not want to go along with it. That is the reason why I asked earlier for a cooling off period and a bipartisan aproach to this very important problem.

Mr. DENT. Mr. President, the Minority finds itself in a rather embarrassing and peculiar situation. We are all for a Constitutional Convention. Yesterday afternoon the Minority took the position that a committee of the Senate changed the intent of a House Bill. In so doing, they violated, in our opinion, the provisions of the Constitution which prohibit such action by either the House or the Senate, Article III, Section 1, of the Constitution. Further, they violated the Rules of this Senate, Senate Rule No. 18 and Senate Rule No. 37. The Chair ruled, in its wisdom, that neither the Constitution nor the Rules of the Senate were violated. On an appeal from that decision, on strict party lines, we remained the minority.

Mr. President, today we must answer two questions. We only have an opportunity to vote once, and yet both questions are separte and should have two answers. The question, if it could be put, should be put by asking, "Are you in favor of a Constitutional Convention?" I assure you that the Democratic Minority, upon being asked that question, would unanimously answer by saying "yes." Then, we should be asked the question, "Do you approve of the action of this committee, which you believe to be unconstitutional and against the Rules of the Senate?" We would answer unanimously "no."

Mr. President, here we are with only the opportunity to answer once to two questions of different natures. So, we find ourselves in this position. We cannot cloak the misdeed, as we see it, of the Senate yesterday by giving a "yes" vote on this proposal. Yet, we cannot afford to be misunderstood by the people by giving a "no" vote. We find ourselves in a somewhat similar position to the man who was asked to answer "yes" or "no" to the question, "When you are drunk, do you beat up your wife?"

Now, Mr. President, in trying to give somewhat halfway intelligent leadership to my group, I find that I have to make a decision, and I have resolved it this way in my own mind. I believe that we, as a group, should vote "no." In so doing, Mr. President, we highlight to the people of Pennsylvania our opposition to the manner in which this legislation is being treated on the Senate floor. We do so because we think the action of this Senate Committee and the action of the Majority in the Senate is unsound.

Mr. President, we believe that by setting up the machinery we are saving the taxpayers of Pennsylvania a considerable amount of money. We further believe that by passing the bill in its original state, we are allowing the people of Pennsylvania the freedom selection, and the freedom of choice and the freedom of thought. If the people vote against a Constitutional Convention, then the machinery falls by the wayside.

Mr. President, the argument of the Majority Leader, to the effect that honorable citizens will not run for the office of delegate because of not knowing whether or not the people would approve a Convention, does not hold water. He knows and I know that from all practical demonstrations, the political parties will name the delegates. Maybe on some rare occasion some independent may be able to sneak past the barriers, but, in the main, both political parties will name the delagtes to this convention. So, being practical in that, I believe that this is the time to name or set up the machinery in order that we can give to the people an affirmative answer to this question as to whether or not there should be a Constitutional Convention.

Further than that, Mr. President, the Majority Leader has stated that historically the Constitution has been amended by this process. What the Majority Leader has failed to tell the Senate is this When the Legislature of 1871 passed an act setting up a referendum to the people as to whether or not there should be a Constitutional Convention, and then, having received an affirmative

vote, went into Session the following year of 1872 and set up the machinery, that Legislature was a continuing body composed of the same membership.

Mr. President, this Legislature will not be in existence, as of its present components, and a new Legislature will take over. If you are sincere in wanting to give the people an affirmative and reliable answer to their question of whether or not there should be a Constitutional Convention, and if you are against setting up the machinery, the least that you can do is to take line 3, on page 3 of the act, in which it says, if I remember correctly, that if a majority of the people vote for a convention, there shall be a convention called. If you do not do other than that, you at least say to the people, "If you vote for a convention, there will be a convention called." You know and I know that we cannot tie the hands of the future Legislature.

Therefore, Mr. President, just because the people have said that they want a convention is no proof, or no assurance, that they will get that convention. The best proof of that is the fact that the Constitution demands that there be reapportionment of the legislative bodies, but there has not been, although, I believe it was at the last Session of the Legislature, we were each served with a summons when a group of taxpayers tried to make us live up to the Constitutional provisions. We ignored it as a group and as individuals.

Mr. President, there is not anything that can force any future Legislature to call a Constitutional Convention contained within this piece of legislation. If you are against setting up the machinery as to the number of delegates to the proportional representation, as to the site of the convention or the moneys to be expended for same, if you are against all of those details, the least you can do at this moment is to accept an amendment making it mandatory to call a convention within a specified time.

Mr. President, the Majority Leader yesterday said that if the next Legislature was composed of a majority of Republicans, with a Republican Governor, he was sure they would call a convention. Now, Mr. President, those idealistic conditions are with us at the present. We have a Republican majority in the House, a Republican majority in the Senate and a Republican Governor. Yet, although the titular head of the Republican Party, the Governor of the Commonwealth, time and time again, before the public and before the General Assembly in Joint Session combined, has asked that this General Assembly give to the people of Pennsylvania an opportunity to adopt a Constitution, he has been rejected unanimously by the members of his own party sitting on the other side.

Mr. President, they say that if we pass this legislation, we will have a mandate of the people. You already have a mandate of the people.

I believe that party platforms are sacred political documents, Mr. President, and when a party's platform is written, it gives to the peope of the Commonwealth of Pennsylvania the pledge of that party that, if elected, they will abide by the decision as rendered by the people. The people have, in unmistakable terms, said to the Republican Party of Pennsylvania, "We have approved your platform plank calling for a Constitutional Convention. We applaud the Governor of the State of Pennsylvania for adhering to that party platform plank." Whether the individual Senators feel that they are not morally obligated to carry out the platform provisions rests in their own conscience. So far as the political party that you represent is concerned, its pledge is before the people; its reputation and its integrity is being tried here today on the Senate floor.

Mr. President, knowing these things and believing them to be right, I cannot take any other position for my colleagues, and I ask them to follow me in voting "no," in order to highlight to the people of Pennsylvania our willingness to vote for a Constitutional Convention in the foreseeabe future, and to show to the people of Pennsylvania that we are not part or party of any action of this Senate which has emasculated this bill beyond recognition.

Further, Mr. President, we are saying to the House Members of both political parties that we join with you in believing that a Constitutional Convention ought to be provided for in this act.

Mr. HOLLAND. Mr. President and Members of the Senate, when we first opened this Session of the General Assembly, the Governor, in his address to the Members, stated that he was for a Constitutional Convention, and that it would be made the No. 1 bill of this Session. It was introduced in the House, and I have been led to believe that the wording and drafting of the bill had been discussed by both the leaders of the Senate and the House, as well as the Attorney General. It was passed by the House and sent over to the Senate.

In the meantime, Mr. President, the Manufacturers' Association and the Chamber of Commerce issued a statement that they feaered if a Constitutional Convention were held, the people might adopt a graduated income tax. There immediately became a lull or less enthusiasm for a State Convention by the Majority Members of the Senate. I was surprised to note that it looks now as if the Governor does not have one supporter on the Majority side. It seems as if the man whom the Republican Party has repudiated in the primary election, Mr. Grundy and the Manufacturers' Association, through its agent Mr. Owlett, have again gained control of the Senate of Pennsylvania.

If this is not so, Mr. President, then why was there this change of mind, why was there this lack of enthusiasm for the Governor's bill? There is no other reason to accept but that it was because the Manufacturers Association passed the word out, "It shall not pass," because over the years the leadership of that group has always feared the people and have never given the people the opportunity to vote.

I say to you, Mr. President, that it is shameful of the Republican Party to say that they have deserted their leader, elected by the people of Pennsylvania as their governor, and they are now bound to the opposition forces that they licked in the primary and in the general election.

Mr. YOSKO. Mr. President, I just want to incorporate one more portion of the Republican platform into this discussion, and suggest to the Republican leadership that if it is not sincere in its party platform, it should

not, in the future, incorporate this language in its platforms. This is what is states, Mr. President, and I quote from page 71 of the Legislative Journal, 1951, Volume 32, No. 1. They wind up the patform, and they say this:

"This platform, represents the honest and sincere intent of the Republican Party of Pennsylvania to further the interests, security and welfare of our people.

"It symbolizes our purpose of keeping Pennsylvania modern in government structure and in proper assistance to our citizens.

"With God's help we will conform to its precepts."

Mr. President, the action taken on this House Bill is a gross violation of that pledge.

Mr. President, I just want to say to the Majority Leader that when he states that the people of Pennsylvania cannot intelligently vote on two questions, one, as to whether or not we should have a Constitutional Convention and, at the same time, elect competent, respectable delegates to that convention, he is making just a plain silly statement, which is an insult to the intelligence of the voters of this State.

Mr. MAHANY. Mr. President, I would like to say this in answer to that conclusion by Senator Yosko about my statement. Certainly Senator Dent gave reason why the people might not be able to vote intelligently on those two questions. He said if we voted this in, that the party machines in the various Congressional Districts would decide who the delegates to this convention would be.

In other words, Mr. President, according to his statement, you are going to pick these men who are going to come to Harrisburg to work on a new Constitution, you are going to pick those people in smoke filled rooms, and so on. Perhaps we would like to have some type of machinery set up in this Constitutional Convention setup so that good constitutional lawyers from the various parts of Pennsylvania could be picked, and not have them picked, as Senator Dent says, by machine politicians.

Mr. President, I hope if the people vote for this convention that we will be able in the next Session of the Legislature to provide good machinery, so that the topmost men of Pennsylvania can come to Harrisburg and sit in a convention to study, consider and approve a new Constitution.

Mr. President, if we talk about the dilemma that Senator Dent seems to be in, in relation to his vote, consider the dilemma that one of the voters in my district might be in when they voted for me at the election in which I won. They might have wanted to vote for "Mahany," but they did not want to vote for a Constitutional Convention. We do not know how may people there were like that in the district. They are in a dilemma. I say that this question is so far-reaching that certainly the people should have the right to decide just on that question, and that question alone.

As far as the manufacturers, or some other individuals of the State of Pennsylvania, dominating this Senate, Mr. President, I think that is an insult to Senator Holland's colleagues. I believe that this Senate, and those who are here, are free and clear of being dominated by any group or individual. We are trying to vote our own convictions. I do not know about the Chamber of Commerce and those people being for or against this, but I do know that the Grange in my district is against a Constitutional Convention. I believe the membership of the Grange in my district certainly represents a majority of the voters in my district. I feel that certainly they should have the right to decide whether or not they want a Constitutional Convention held.

Therefore, Mr. President, I ask all of my colleagues to allow the people of Pennsylvania to decide this one question. If they do that, they will vote "aye" on this bill.

Mr. DENT. Mr. President, the answer is not as easy as the juestion propounded by the vote being taken. We are not voting against the right or the privilege of the people to vote whether or not they want a Constitutional Convention. We just repeat that when we ask that question, we want to be able to assure them at the same time that if they vote in the affirmative, they will have a Constitutional Convention. That is the only question before this Senate no matter how we cloud it up.

Mr. President, I want to ease the mind of the Majority Leader in so far as smoke filled rooms. I understand that the smoke filled rooms are now air-conditioned.

Mr. HOLLAND. Mr. President, I would just like to add an amendment to what Mr. Dent just said. The rooms at Hershey, I understand, are not smoke filled anymore. They are air-conditioned, I think that if the Majority Leader's mind will go back to when he was elected Majority Leader, it was in a very smoke filled room at Hershey.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Bane,	Hare,	Mallery,	Stevenson,
Barr,	Kephart,	McCusker,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Crowe,	Kopriver, Jr.	Miller,	Walker,
Diehm,	Letzler,	Pechan,	Watkins,
Fleming,	Madigan,	Peelor,	Watson,
Freed,	Mahany,	Propert,	

NAYS—15

Berger,	Holland,	McGinnis,	Stiefel,
Blass,	Lane,	McMenamin,	Weiner,
Dent,	Leader,	Ruth,	Yosko,
Haluska,	McCreesh,	Silvert,	

A majority of all the Senators having voted, "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REASONS FOR VOTE

Mr. LANE. Mr. President, I want it stated for the record that my reason for voting "no" on this legisation is that I will not be a party to any fraud or perpetuation of any fraud upon the people of Pennsylvania.

STUDENTS FROM JACKSONWALD EXETER JUNIOR HIGH SCHOOL PRESENTED TO SENATE

The PRESIDENT. THE Chair regrets to note that visitors of Senator Ruth, from the Jacksonwald Exeter Junior High School, Jacksonwald, Berks County, are about to escape from the gallery.

They are under the guidance of Mr. Roger Hertz, Miss Weidknecht and Mrs. Schmehl. I hope at least some of them will rise in place and take a bow.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 51, as follows:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much as may be necessary is hereby specifically appropriated to the Department of Mines for the payment of the deficiency in the appropriation for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947" for the two fiscal years begining June first one thousand nine hundred fifty-one

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, there is an old saying in politics, "If you can't convince, confuse." I am not only confused, but I am bewildered upon the merits of this next bill. I wonder how long we shall condone the actions of our various department heads, in year after year coming before this body and asking for appropriations, deficiencies, such as we have before us today.

Mr. President, I would like to talk on two bills at one time, if I may, House Bill No. 51 and House Bill No. 445, because both relate to the same subject. I said that I am confused, because originally someone, some brain truster, demanded $250,000 as a deficiency, relating to House Bill No. 51. When the bill came to the Senate Committee, they changed their minds. They said, "Now we want only $125,000." Then yesterday, my colleague from Somerset County said, "We were wrong again. I will offer for an amendment. We only need $100,000." I say I am confused. What do they really need? How much do they need and why?

Mr. President, if any one of us, and I believe all of us are men of business, administrators, manufacturers or what not, but if one of us would permit one of our employees to draw checks upon our accounts, with no funds in the bank, how long would that person be employed? We would fire him immediately. We would send him to jail. Yet we condone the same system right here. Men, without any authority, taking it upon themselves to write checks upon this Commonwealth to expend moneys, knowing full well that the money was not appropriated to them. What right do they have?

Mr. President, you will find here that you have a total of over $11,000,000 in deficiencies. Think of it. Why, the greatest manufacturer on earth would be alarmed if one of his employees would write a check out for $11,000,000 without his consent and without his knowledge. Still. we here in the Senate, without batting an eye will sit back idly year in and year out and vote for deficiencies, knowing full well they were not authorized.

Mr. President, there is one department of the State Government which conducts itself according to the letter of the law. That department is the Department of Highways. Only a few months ago I read in the paper where the Secretary of Highways was compelled to lay off a number of caretakers. I went down to the Department and inquired. I said, "Mr. Secretary, why did you lay off so many caretakers throughout the Commonwealth?" He said, "Senator, the answer is simple. I have to live within my budget. I knew full well that we had too many men upon the payroll and, therefore, acting in my capacity as Secretary and administrator of a certain fund, I was compelled to lay off a number of men to live within my budget." That is not true of these bills.

I say to you, Mr. President, the Department of Mines last fall went out in the open spaces and hunted for men, picked them up, men who never saw a coal mine, and placed them upon the public payroll for election purposes. After the election they were dismissed. That is why you now find a deficiency.

Mr. President, I say to you that all of these men who have expended these funds totaling $11,000,000 should be brought before the bar of justice and given a hearing, asking them why they expended funds knowing full well that they were not appropriated for that purpose, asking them why they padded the payrolls, and then deal with them as you deal with other criminals, put them in jail. Any department head who would spend $11,000,000 should be in jail. Back in my county and back in your county, Mr. President, men with less misgivings have gone to jail, men who write a five dollar check with no funds in the bank, and yet we condone a practice of this kind.

Mr. President, I say every man who is guilty of misconduct in office should be dealt with according to law. These men are no exceptions. Why do we meet here? What is our purpose? Why have a Committee on Appropriations? We sit down and appropriate certain funds for a certain specified reason. All of you know we are being ignored; we are being toyed with and looked upon as puppets. They pay no attention whatsoever to what we say. Year in and year out, they follow the same practice.

Mr. President, a halt must be called. I am going to ask my colleagues to vote "no" on this bill, but I am going to ask my colleagues to vote "yes" on House Bill No. 445 for one reason only. We realize you are in a mess; you are in a jam. You have outdone yourselves. We are coming to your rescue, not because we believe in this practice, but because you have gone overboard, and because some innocent people will suffer. It is our plan to vote "yes" on House Bill No. 445. We do not believe in it, but we are coming to your rescue to get you out of a mess.

Mr. President, we talk about mink coats and deep-freezes that were given to people in Washington, who have been prosecuted in Washington. Why, it is no comparison whatsoever. When you find men writing checks out for $11,000,000 without authority, they should be prosecuted, brought before the Senate Committee and asked why. Who gave them permissison, under what

authority were they permitted to write checks totaling $11,000,000, and to pad the public payroll?

Mr. WALKER. Mr. President, I am in accord with a great many things the gentleman from Cambria said. In my experience here in the Senate I have repeatedly said during a Session that I would never vote for a deficiency appropriation again. Of course, inevitably, you find yourself wishing you would never say "never again" again.

I do not agree with his final conclusions, Mr. President, and I would like to discuss the matter with him. As far as House Bill No. 51 is concerned, I would like to talk on that for the moment, because that is the bill which is now before us. If the gentleman will refer to his History of this House Bill No. 51, it was introduced in the House early in February of 1953, and since that time there has been a change in the administration of the Department of Mines. I had fullly intended, at the time the bill came over from the House, that I would not vote for House Bill No. 51. I have since discussed the matter with the present Secretary of the Department of Mines and I learned that, for example, when he found out what was going on, that this mines sealing program was being carried on over and above the appropriation which had been made for it, he stopped all of the work, which is somewhat comparable to the illustration which the gentleman from Cambria gave us on the Highway Department.

Over in Somerset County, as I understand the situation, Mr. President, there is considerable machinery piled up over there which is being used in a mine sealing program. It was the suggestion of the present Secretary of the Department of Mines that if the appropriation for this deficiency was in the sum of $100,000, he could carry on this one project where he has all of this equipment over there, but if we terminated it by not passing this bill, it would be necessary for him to perhaps remove that machinery or else just store it there until the end of this present biennium.

Very reluctantly, Mr. President, I decided in my own mind that I would vote for this amended bill which gives the present Secretary $100,000, which would continue that Somerset County project so that this machinery would not have to be removed. I also, for the benefit of the gentleman from Cambria, made up my mind that this $100,000 could and should be deducted from whatever sums would be appropriated to the department, in this forthcoming biennium, for the same project.

Mr. President, with relation to his discussion on House Bill No. 445, which will be before us later today, I have some comments on that bill which I would like to reserve until we come to that bill because I, too, would be very reluctant to have people perform services for which commitments have been made by the departments, salaries that should be paid. I am very reluctant not to vote for money to pay those salaries. With that, I am in accord with the gentleman. However, in House Bill No. 445 there are still considerable appropriation deficiencies which have not been deleted from the bill and which, in my own individual mind, are not necessary at this time. Therefore, I would like to reserve any comment on House Bill No. 445 until we reach it.

Mr. President, I would also like to say, for the record, that I agree with the gentleman from Cambria in his conclusion that department heads who are appropriated money by the General Assembly should live entirely within their budget. The Senate Appropriations Committee, under the very able leadership of Doctor Chapman, and the House Appropriations Committee, under the leadership of Norman Wood of Lancaster, do a lot of extra curricular work endeavoring to determine the bare minimum under which these departments can exist. They do the best they can to dole out that money as freely as possible, and the departments, when they receive an appropriation, should live under it. Of course, Mr. President, there is not a gentleman in the Senate who would not appreciate the fact that at times an emergency situation might arise where it would be necessary for a department to exceed a particular point in their budget.

Now, Mr. President, what happens in these departments, at least this is my opinion from the information I have been able to gather, once an appropriation is made by the Legislature to a department or a board or bureau on Capitol Hill, that they can jockey the various amounts involved and we wind up discovering there is always a deficiency upon the vulnerable point that the General Assembly must face in a deficiency bill, and that is salaries for employees. They give you the heart-rending picture of employees who have given this service and have not been paid for four, five, six, seven, eight weeks, and they cannot pay their grocery bills, and then they appeal to us so that the milk of human kindness will run in our veins and we will pay off these salaries.

Mr. President, you always discover that there has been a jockeying of accounts so that there is not a deficiency for buying new drapes for some bureaucrat's office. That is always taken care of first, and then the deficiency always arises in the vulnerable spot, and that is in the salary appropriations.

Mr. President, I think that sooner or later the General Assembly should take a position, and a very firm one, so that the boards, bureaus, commissions and departments on Capitol Hill will be forced to live within their budgets, and if an emergency arises which must create a deficiency because of some unforeseen act or some unforeseen tragedy, then that could be handled by the House and Senate Appropriations Committee, who are very familiar with the intricate details of the appropriations involved.

I do not recall, Mr. President, of ever attending a Session of the General Assembly that there has not been at least one or two deficiency appropriation bills. Here we are, as the gentleman from Cambria says, suddenly confronted with a horde of them which run the gamut of practically every type of governmental services furnished at the State level.

Mr. President, I would say to the gentleman from Cambria, in all seriousness, I am reluctant to vote for House Bill No. 51, but I feel this new Secretary of the Department of Mines has been very fair and honest in his answers to the interrogations which I put to him, and with this additional $100,000 he can pay up the salaries, or the bills or the commitments which have already been incurred and carry out this one project in Somerset County until the end of this present fiscal period.

Mr. President, when we reach House Bill No. 445, I would like then to have the opportunity of discussing that with the gentleman from Cambria.

Mr. HALUSKA. Mr. President, I desire to interrogate

the gentleman from Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. HALUSKA. Mr. President, first I wish to state that I appreciate the kind remarks made by Senator Walker in agreeing with me on a principle in my discussion regarding the contents of the bill.

Mr. President, I would like to ask the gentleman from Allegheny, Senator Walker, whether he condones the position now taken by the present Secretary of Mines in asking for the deficiency appropriation.

Mr. WALKER. Mr. President, I do not want to use the word "condone." I am not sparring with the gentleman from Cambria over verbiage. I do not want to use the word "condone."

As I said previously, I was opposed to the bill when it first came over. In discussing it with the present Secretary of the Department of Mines, he explained these projects where he had hundreds of thousands of dollars worth of machinery lying idle which he would have to take care of if he did not get this, and that he could continue this project with $100,000 up to the end of this biennial period. I do not want to be misunderstood, but it is my recollection that one of the projects he intends to continue, if he gets this deficiency, is in Cambria County where, I think, there was about $300,000 worth of machinery tied up.

After this discussion, very reluctantly I decided in my own mind to go along with this bill in order to continue those mine sealing projects, even though I cannot condone deficiency appropriations. I will admit that is rather controdictory, Senator, but that is the present confused state of my mind.

Mr. HALUSKA. Mr. President, in reply to the gentleman from Allegheny, it makes no difference to me whether it is in Cambria County.

Mr. WALKER. I appreciate that, Mr. President. I deliberately did not mention it before because I did not want to color the discussion.

Mr. HALUSKA. Mr. President, can the gentleman tell me how they originally arrived at the enormous figure of $250,000?

Mr. WALKER. Mr. President, I think that the figure arrived at in February was presented by the then Secretary of the Department, which was cut down by the House Appropriations Committee to $125,000 after a discussion with the present Secretary. When the matter was discussed with him by some of us on this side of the aisle, he submitted a figure of $100,000 as the amount which he would need for the projects that he felt should be, for economy purposes, continued.

Mr. HALUSKA. Mr. President, will the gentleman agree with me that if the figure of $100,000 is correct, the former Secretary was very extravagant by asking for $250,000?

Mr. WALKER. Of course, Mr. President, I do not want to criticize the former Secretary of Mines. He had an idea that $250,000 was what he would need, and let me say that the gentleman from Schuylkill, who is now the Secretary of the Department of Mines, adopted a more economic view.

Mr. HALUSKA. Mr. President, that is what I am talking about. They all have ideas, just as the good Senator from Allegheny stated. The former Secretary of Mines had an idea of $250,000. That is all it was, an idea. There was nothing fundamental whatsoever, no basis for asking for $250,000.

Mr. President, I woud like to have brought before this body a list of the men employed by that department, to show us how this money has been expended, who has been on the payroll and whether or not these men actually worked. I am informed that many of these persons never showed up for work. Men were placed on the payroll, and would go out the length and breadth of the Commonwealth for political purposes and I am sure no one condones that. They never had seen a coal mine and had no knowledge of a coal mine project, but were receiving money. When the money ran out, the former Secretary of Mines kept them on the payroll, kept issuing checks, knowing full well that we, as suckers, if you please, would go along and pass the appropriation according to his whims and wishes.

Mr. WALKER. Mr. President, may I correct the gentleman? No checks have been issued on these deficiencies. They are merely commitments that have been carried on. I do not think that impression is an isolated instance. Quite a number of us had the impression that the money had been spent. However, we find that there are no expenditures; they are just commitments or accounts payable which have been incurred, Senator, and that is the slight difference between issuing checks for it.

Mr. HALUSKA. Mr. President, if no checks have been issued, then we have no deficiency.

Mr. WALKER. Mr. President, I might say to the gentleman that the commitments have been made. For example, there has been work performed, but the salaries have not been paid for the work performed.

Mr. HALUSKA. Mr. President, again, I want to point out that he had a certain budget to work on, and had he maintained it true to life, within the budget, he would never have had any reason whatsoever to call for a deficiency appropriation. However, he hired additional people during the election, men he did not need, and padded the payroll and, therefore, found himself in this deplorable condition. How long can we condone this misconduct in office? As I said awhile ago, men of this type should be brought before the bar of justice and dealt with as other criminals are dealt with.

Mr. WALKER. Mr. President, may I say to the gentleman from Cambria that it is my recollection that out of this $100,000, that is the point of issue in House Bill No. 51, approximately $20,000 is for salaries and accounts payable which have already been committed. The balance of it was to permit the present Secretary of Mines to continue these two mine sealing projects which we have discussed here this morning.

Mr. President, I have no quarrel at all with the antagonism of the gentleman toward deficiencies. I agree with him there. However, this is just a question of trying to decide which would be best for the Commonwealth under the circumstances and, very reluctantly, as I said to the gentleman, I came tc the conclusion that under the circumstances which were presented to me by the present Secretary of Mines, I was willing to waive my objection to deficiencies in this instance to give him the opportunity to continue these projects, because I felt that

the Commonwealth would seriously suffer if the projects were cut off now, and then perhaps an attempt made to restore them at the beginning of the next biennium.

Mr. HALUSKA. Mr. President, I wish to thank the gentleman from Allegheny, Senator Walker. However, I want to point out very briefly again that that is why we have a deliberative body. If the Commonwealth finds itself in the position where it must expend $11,000,000, there should be a Special Session called by the Legislature. That would cost probaby $200,000, which is nothing compared with $11,000,000. We have been called back before.

Mr. President, I say there is no department head who has any right whatsoever to write checks where there is no money. That man is not fit to be a Cabinet Member. You would not condone that action in your own business; I will not condone it in mine. Such men should be weeded out of public office. It is a mess. As the Altoona Tribune said, "The mess of messes exists in Harrisburg." That is true. We talk about the mess in Washington. That is nothing compared with men spending $11,000,000 without the consent of this General Assembly.

Mr. WALKER. Mr. President, I do not want to becloud the issue. I would like to keep the discussion on House Bill No. 51 because, as I said, when we get over to House Bill No. 445, then I would like to discuss part of that bill with the gentleman from Cambria.

As the gentleman from Cambria well knows, Mr. President, this is not the first Session where we had deficiency appropriations. I recall having deficiency appropriations in the 1939 Session, which was the first Session that I was privileged to serve. I think at that time they were an old story also. I think we could well take steps to prevent these whenever and wherever possible.

Mr. President, at the present moment, the sole issue before the Senate on House Bill No. 51 is first, whether or not we shall reimburse the present Secretary of the Department of Mines for the salaries and accounts payable which have already been committed, and, secondly, shall we give him additional funds in order to continue these two projects to the end of this present fiscal period.

Mr. President, as far as Senator Haluska's comment on messes in Harrisburg and Washington, a political discussion on this bill is not going to help either side of the aisle, because the antagonism toward deficiency appropriations knows no barrier. I think both side of the aisle are fed up entirely with deficiency appropriations and would like to take steps to curb them.

Mr. LANE. Mr. President, if we are going to exercise any degree of economy, we are going to have to have a realistic approach to deficiency appropriations. They handed us here a white paper, upon which is marked the sum of $100,000 for deficiency appropriations. That does not mean anything. We do not know the details. I imagine the Committee on Appropriations probably held a meeting and discussed this bill in detail.

Mr. President, what the Members of the Senate would like to know is this. What was the money spent for? We would like to have a detailed, itemized statement on what the money was spent for, because we are supposed to be economy minded. If we go along and pass this legislation, which, perhaps, has a lot of merit, but, at the same time, how do we know? We have to exercise some extreme caution in this Session. I say that the leadership on the other side should supply the Members of the Senate with a detailed, itemized statement on what the subject is, or what the content is in regard to this appropriation.

Mr. President, we are going to get along a lot better, I believe, in this Session as we start to consider these bills if we know just what we are paying for.

I am not going to inject politics into it, Mr. President. I say that probably the Secretary of Mines has a very good cause. However, I do not know that. I know, as far as my administrative experience is concerned, if a department head would come to me with a deficiency appropriation, or go over his budget, I would want to know in detail where the money went and why it went.

Mr. President, we are the custodians, actually, of the State's Funds here in Pennsylvania. We are going to have to vote on tax measures. It seems to me that the Senate of Pennsylvania should have this information, so that we can intelligently consider this legislation.

Mr. YOSKO. Mr. President, I am glad the gentleman from Allegheny, Senator Walker, expressed himself as being desirous of having the departments live within their appropriations. However, I want to say to the gentleman from Allegheny that that end will never be accomplished by talking about it or by any wishful thinking. There is only one way in which you can eliminate deficiency appropriations and, frankly, in the last five bienniums, if my memory serves me correcty, we have had $131,000,000 worth of them. The only way you can eliminate deficiency appropriations is to set up machinery for the control of expenditures.

Mr. President, at the 1951 Session, Senator Diehm and Senator Propert introduced a bill in the Senate to set up an Accountant General. If that bill would have passed—it was on the Senate Calendar and was sent back to committee—perhaps we would not be faced today with any deficiency appropriations because, under that bill, machinery would have been set up to control expenditures.

I introduced an Accountant General bill similar to the one which was introduced in the 1951 Session, Mr. President. It is still in committee, in spite of the fact that we have been here amost four months. Perhaps I am the wrong sponsor; I do not know. If I am, I will recall the bill, and it is about time somebody on the other side, or the administration, introduced such a bill so that we could control expenditures and operate the Commonwealth not on a cash, but on an accrual basis and make our appropriations on an object classification basis.

Mr. President, at one of the pubic hearings we had down in the Senate Caucus Room, it was admitted that although the departments submit their budget requests in breakdown form, they admitted that once the appropriation is made they get a lump sum of money and they can use that money for any purpose which they desire. When it is uncontrolled, naturally you are going to wind up with deficiency appropriations.

Mr. President, this particular item on mine sealing received a $1,000,000 appropriation for the current biennium. As I understand it, there is still $4,000 in that appropriation as of this moment. I would like to know, as already was expressed, how was that $1,000,000, with the execption of the $4,000, spent during the twenty-three months of the current biennium? I would like to take a look at it and see whether or not this deficiency appro-

priation is justified. I also understand that this mine sealing project is a part of the Department of Mines. I understand, too, that there is still in the Department of Mines' appropriation, $176,000 for the payment of salaries and expenses and that it takes about $34,000 for one pay period. Since there are ony three pay periods left in this biennium, which ends on May 31st, there will be a balance in that $176,000 appropriation for expenses and salaries. It would seem to me that the Department of Mines, or somebody in the State Government, ought to make arrangements for a transfer of the anticipated balance of this $176,000 and apply it toward the deficiency that is being requested. If that is done, perhaps we would not need this deficiency appropriation which is being requested here today.

I repeat, Mr. President, we are not going to eliminate deficiency appropriations by just talk and by wishful thinking. We have got to do something about it. We have got to take positive action, and the action to take is to set up that accountant general in this State, which calls for the control of expenditures. The sooner we do that, the sooner we are going to do away with deficiency appropriations, accounts payable and a lot of other things which exist in the State Government.

Mr. President, I, personally, will not vote for this deficiency with the facts that I have at hand. It seems to me that under the circumstances we probably should wait until Monday, and get a statement from the Department of Mines to indicate how it spent its million dollars which we gave them, and also determine what, if anything, is the anticipated surplus in the Department of Mines' appropriation. If my figures are correct, that would effect a transfer of funds from one appropriation to another, which, I believe, the budget bureau can do, and we might be abe to eliminate this deficiency.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for thirty-five minutes.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER (John M. Walker) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order. House Bill No. 51, Printer's No. 170, on final passage, is before the Senate.

And the question recurring,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I do not want to delay this debate any longer. I think it has been sufficiently discussed on both sides of the aisle. In connection with House Bill No. 51, I do regret, however, a certain statement having been made here by one of the Senators that he is informed that a large number of people are not on the job, and are drawing money without doing any work and that sort of thing. I think all of us make a mistake by making blanket charges when we do not have anything specific to back them up. When a Senator, speaking from the floor of this Senate, makes a charge like that, the newspapers usually pick it up and say that Senator so and so charges that people are drawing State pay without doing any work, and later on when we find out that perhaps that was not so, there is no retraction made of it, and it puts these men who are working on this type of work in a bad light.

Mr. President, if any Senator knows of any project that the State is carrying on in which the men are not doing a full day's job for a full day's pay, I wish that they would get in touch with me, or some other Senator who is in charge, and give the full facts concerning this. Then, if their charges prove to be correct, we can take it up with the secretary of the department in which that work is being carried on, and get the facts from him as to why this man was paid for not doing any work.

Mr. President, I think all of these departments are trying their best to use the money to the best interests of the people to carry on with the work which has been assigned to them as economically as possible.

Mr. President, I would ask that from now on, if any Senator has any charges like that to make, that he at least get in touch with me. I will be glad to call in the head of the department and have a conference with that Senator, or any group of Senators for that matter, and inquire into the charge in full. If we do not straighten it out to that Senator's satisfaction, then I will humbly apologize and say that the charge is correct. Just to hurl blanket charges without having any definite information to back them up, I think is bad for all of us.

Mr. HALUSKA. Mr. President, I sympathize with my colleague from Crawford County, and, as a lawyer, he knows he has a weak case, and he is doing his best under the circumstances. He is trying to impress the jury that the fellow should have life, or at least maybe a twenty year sentence, instead of death.

Mr. President, when I make a charge I know what I am talking of. I would like to have the gentleman from Crawford County ask the Department of Mines to give us a list of all those who were employed on a mine sealing project throughout the months of September, October and November of 1952. I wish we had a committee who would be authorized to investigate the mine sealing project. You would find then, without any quibbling at all on my part, men who are on the payroll who never reported for work. They were placed upon the payroll for political reasons only.

I wonder what right he would have, Mr. President, if I should come to him and make a complaint about anybodv on the payroll, what authority he has to stop it. True, he is the Republican Floor Leader, but only a Senator, in the same cacapity as I. He would have no authority whatsoever to do anything about the matter.

If he is interested in the remarks I made, Mr. President, let him ask for a list of the names of people who were placed upon this payroll during last fall's election, and then I will show him what men were on the payroll and refused to even report for work.

And the question recurrring,

Shall the bill pass finally?

CALL FOR A QUORUM

Mr. MAHANY. Mr. President, I request a call for a quorum.

Mr. HARE. Mr. President, I second the request for a call for a quorum.

Mr. WATKINS. Mr. President, I second the request for a call for a quorum.

Mr. WATSON. Mr. President, I second the request for a call for a quorum.

The PRESIDING OFFICER. The request for a quorum having been called for by the gentleman from Crawford, Mr. Mahany, the gentleman from Somerset, Mr. Hare, the gentleman from Delaware, Mr. Watkins, and the gentleman from Bucks, Mr. Watson, the Clerk will call the roll on the quorum.

(During the calling of the roll, the following occurred:)

Mr. PECHAN. Mr. President, I wish to be recorded as being "present."

The PRESIDING OFFICER. The gentleman from Armstrong will be so recorded.

Mr. McCUSKER. Mr. President, I wish to be recorded as being "present."

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

Mr. McGINNIS. Mr. President, I wish to be recorded as being "present."

The PRESIDING OFFICER. The gentleman from Allegheny will be so recorded.

The yeas and nays were required by Mr. MAHANY, Mr. HARE, Mr. WATKINS and Mr. WATSON and were as follows, viz:

Bane,	Holland,	McCusker,	Silvert,
Barr,	Kephart,	McGinnis,	Stevenson,
Berger,	Kessler,	McMenamin,	Wade,
Blass,	Kopriver, Jr.	McPherson, Jr.	Wagner,
Chapman,	Leader,	Miller,	Watkins,
Diehm,	Letzler,	Pechan,	Watson,
Fleming,	Madigan,	Peelor,	Wolfe,
Freed,	Mahany,	Propert,	Yosko,
Haluska,	Mallery,	Ruth,	Walker,
Hare,	McCreesh,		Presiding Officer

PRESENT—38

The PRESIDING OFFICER. The roll having been called, and 38 Senators having answered "Present," the Chair declares a quorum to be present.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred.)

Mr. DENT. Mr. President, I wish to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Westmoreland will be so recorded.

Mr. LANE. Mr. President, I wish to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Washington will be so recorded.

VERIFICATION OF THE ROLL

Mr. HALUSKA. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Berger,	Kephart,	McCusker,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Diehm,	Letzler,	Pechan,	Watson,
Fleming,	Madigan,	Peelor,	Wolfe,
Freed,	Mahany,	Propert,	Walker,
Hare,	Mallery,	Stevenson,	Presiding Officer

The PRESIDING OFFICER. Are there any corrections. The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Holland,	McCreesh,	Ruth,
Barr,	Lane,	McGinnis,	Silvert,
Dent,	Leader,	McMenamin,	Yosko,
Haluska,			

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Kephart,	Kessler,	Wade,
Blass,	Kopriver, Jr.	McPherson, Jr.	Wagner,
Chapman,	Letzler,	Miller,	Watkins,
Diehm,	Madigan,	Pechan,	Watson,
Fleming,	Mahany,	Peelor,	Wolfe,
Freed,	Mallery,	Propert,	Walker,
Hare,	McCusker,	Stevenson,	Presiding Officer

NAYS—13

Bane,	Holland,	McCreesh,	Ruth,
Barr,	Lane,	McGinnis,	Silvert,
Dent,	Leader,	McMenamin,	Yosko,
Haluska,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis H. Harris (Republican), 418 Market Street, Lewisburg, Union County, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Robert V. Glover, Mifflinburg, whose term expired.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR
NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Charles Pearlstein, Pittsburgh, 280 Morewood Ave. (13).

BUCKS COUNTY

Donald B. Smith, Perkasie.

BUTLER COUNTY

John W. Miller, Jr., Butler.

COLUMBIA COUNTY

Mrs. Margart B. Pressler, Bloomsburg.

FAYETTE COUNTY

Mrs. Marjorie M. Specht, Connellsville.

LANCASTER COUNTY

Frank J. Stott, Lancaster.

PHILADELPHIA COUNTY

Herbert A. Baskin, 3330 North Broad Street (40).
Mrs. Mary H. Charlesworth, S. E. Cor. 16th & Hunting Park Avenue (40).
Miss Ann K. Kilcourse, 2843 North 27th Street (32).
Mrs. Harriette Mohacey, 1443 W. Olney Avenue (41).
Joseph D. Thornton, 522 West Erie Avenue (40).

NORTHAMPTON COUNTY

Mrs. Marian J. Abel, Hellertown.
Mrs. Dolores E. Shupp, Bethlehem.

WESTMORELAND COUNTY

Miss Rachel K. Siard, Latrobe.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stevenson,
Barr,	Hare,	McCreesh,	Stiefel,
Berger,	Harney,	McCusker,	Taylor,
Blass,	Holland,	McGinnis,	Toole,
Camiel,	Kephart,	McMenamin,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Yosko,
Freed,	Mahany,	Silvert,	Walker,
			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 27, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 4, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday May 4, 1953 at three-thirty o'clock p. m., E. S. T.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 419, on third reading, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Public Works transferring to it all of the powers and duties of the Department of Highways, and the State Planning Board, all of the powers and duties of the Pennsylvania Aeronautics Commissions, except the inspection, regulation and licensing of airports, those powers and duties of the Department of Property and Supplies relating to the management and control, construction and repair of all buildings owned or leased by the Commonwealth, and those

powers and duties of the Department of Internal Affairs relating to municipal and township development; transferring the Board of Commissioners of Public Grounds and Buildings, the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works; providing for a Secretary of Public Works; defining his powers and duties; abolishing the Department of Highways, the State Planning Board and the Pennsylvania Aeronautics Commission; reconstituting the State Planning Board and advisory board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies; and transferring appropriations.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 437, as follows:

An Act to amend the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 919) entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth prescribing their powers and duties fixing their compensation and providing procedures for transmission and settlement of certain moneys" by extending the provisions thereof to court ordered restitutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 and 2 of the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 919) entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court for the use of the Commonwealth prescribing their powers and duties fixing their compensation and providing procedures for transmission and settlement of certain moneys" are hereby amended to read as follows

Section 1 Definitions The following words or phrases shall have the meanings ascribed to them in this section

"Clerks of Courts" shall mean the clerks of the Courts of Quarter Sessions and Oyer and Terminer and General Jail Delivery and the clerks of any court of criminal jurisdiction within the Commonwealth

"Fines" shall mean fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court and restitutions ordered by the court payable to the Commonwealth for the use of the Commonwealth and not for the use of the county

Section 2 It shall be the duty of the clerks of courts of the several counties of the Commonwealth to collect and transmit as agents of the Commonwealth all fines forfeited recognizances and other forfeitures imposed lost or forfeited into any court and restitutions ordered by the court payable to the Commonwealth for the use of the Commonwealth and not for the use of the county If any fine has not been paid or restitution made when due or within the time if any specified by the court the clerks of the court shall proceed to collect the same with costs Nothing containing herein shall impair the right of the courts to moderate or remit forfeited recognizances as heretofore

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	Mallery,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Camiel,	Kephart,	McMenamin,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Crowe,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Yosko,
Freed,	Mahany,	Silvert,	Walker,
Haluska,	McCreesh,	Stevenson,	Presiding Officer

NAYS—1

Blass,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 445, on third reading, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 479, as follows:

An Act to amend section six of the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissiblity in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates fares and charges and supplements thereto filed with the Interstate Commerce Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records documents and proceedings of the United States Government and of copies thereof and extracts therefrom and certificates in reference thereto" is hereby amended to read as follows

Section 6 Federal Documents Filed in Public Office Certified Copies Original A copy of a document not being a conveyance of title or other interest in property required or allowed by law to be filed in a public office of the United States is admissible to evidence the original when certified by the lawful custodian of the records

of that office under seal of the office In any such case the court may on request of a party order the production of the original document for any purpose Printed copies of schedules and classification and tariffs of rates fares and charges and supplements thereto filed with the Interstate Commerce Commission which show respectively an Interstate Commerce Commission number which may be stated in abbreviated form as ICC No ..... and an effective date may be received in evidence without certification and shall be presumed to be correct copies of the original schedules classifications tariffs and supplements on file with the Interstate Commerce Commission

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Crowe,	Lane,	Pechan,	Watson,
Dent,	Leader,	Peelor,	Weiner,
Diehm,	Letzler,	Propert,	Wolfe,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. MAHANY. Mr. President, I move that all bills on the Second Reading Calendar go over in their order.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

Senate Bill No. 97, entitled:

An Act to prohibit acquisition of property and property rights by condemnation until payment into court of a percentage of the damages admittedly due owners

House Bill No. 110, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the epartment of Revenue the epartment of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

Senate Bill No. 325, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public officers occurring under condidtions for which said election code does not prescribe machinery

Senate Bill No. 474, entitled:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act

House Bill No. 655, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas

STUDENTS FROM JOHN HARRIS HIGH SCHOOL PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like to call to the attention of the Members of the Senate a group of students in the gallery from the John Harris High School here in Harrisburg, who are the guests of Senator Taylor.

Will Senator Taylor's guests please arise in place and take a bow?

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, earlier in today's Session, Senator Wagner presented to the Senate the Report of the Joint State Government Commission on "Highway Use and Highway Costs." I desire to bring to the attention of the Senate that the recommendations made by the Joint State Government Commission in their meeting on April 21, as printed on page 1 of the report, does not include another recommendation passed by the Commission at that time, namely, that the Commission recommended further study of this subject. I read from an excerpt of the minutes:

"Upon motion duly made and seconded, and unani-

mously carried. The Commission recommended further study of this subject."

Mr. President, I would also like to call to the attention of the Members of the Senate the fact that while it was reported in the newspaper that the Joint State Government Commission had advocated increased truck weights, this is not true. If you will look at the recommendations contained on page 1, the only recommendation contained therein is, "Present axle weight limits are retained." Then, by using a certain formula, if you are going to use that formula, the general gross weight would be increased. The "if" part would not recommend that it be carried out.

Mr. President, the recommendation speaks for itself, but I call attention to that fact because of the misstatements carried in the press the other day after the meeting of the Commission, and with the hope that when the press reads this Commission Report, they will make an accurate report to the people as to what the Commission did do.

REQUEST FOR RECESS

Mr. MAHANY. Mr. President, concerning House Bill No. 445, which went over in its order temporarily earlier today, yesterday, when amendments were made to this bill, the printer did not include all of the amendments in the printed bill which is now on our desks. This has been called to the attention of the printer, and he is now preparing a bill which will include all of the amendments which we adopted yesterday. I understand that the bill will be here within twenty-five minutes so that we may act upon the same.

Therefore, I now request a recess for twenty-five minutes for the purpose of awaiting this bill.

Mr. BARR. Mr. President, as a matter of saving time, I was wondering, if there is going to be debate and discussion on this bill, if we could have that at present and then vote when the bill does come to our Calendar, because I know that there is an important public hearing at 3:00 o'clock, Daylight Saving Time.

REQUEST FOR RECESS WITHDRAWN

Mr. MAHANY. Mr. President, I think that is a good suggestion, and I now withdraw my request for a recess.

Mr. President, I will be glad to agree that we should debate the bill, and I will put in the record the part which will be crossed out of the bill when it is presented to us.

The PRESIDING OFFICER. Of course, as the gentlemen of the Senate know, they will be custodians of their own course of conduct. The Chair wishes to call to the attention of the Members of the Senate that they will be discussing a bill which is not on their desks.

Mr. MAHANY. Mr. President, the bill which we now have on our desks, House Bill No. 445, was amended yesterday. On page 6, starting with line 10 through line 20, all those lines were to be crossed off, but the printer inadvertently did not cross off lines 15 to 20 on the bill which we now have before us. If the bill had been properly printed, the only difference would be that lines 15, 16, 17, 18, 19 and 20, on page 6, would be crossed off, and the printer will have that bill before us, correctly printed, within twenty-five minutes.

Mr. President, I am willing, if the rest of my colleagues are, to permit debate upon this bill, with the further understanding that those lines on page 6, 15 through 20, will be crossed off.

HOUSE BILL No. 445 CALLED UP

Mr. MAHANY. Mr. President, I call up from the Third Reading Calendar House Bill No. 445, which went over in its order temporarily, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 445, as follows:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiencies in certain appropriations made to the Department of Forests and Waters Department of Health Department of Labor and Industry Department of Public Instruction Department of State Department of Welfare and the Judicial Department by the act to which this is a supplement are hereby specifically appropriated to such departments as follows

I Executive Department

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of the salaries or other compensation of a secretary and such other employes including among others captains pilots engineers harbor masters firemen deck hands watchmen laborers and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services books charts and general expenses of the commission the sum of twenty-three thousand dollars ($23,000)

To the Department of Health

For the payment of the deficiency in the appropriation for the payment of salaries wages general expenses supplies printing and equipment required by the department in administering the "School Health Act" the sum of three million four hundred thirty-three thousand eight hundred twenty-three dollars ($3,433,823)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and livestock for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Santaoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for

the proper conduct of the orthopedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of one hundred thousand dollars ($100,000)

To the Department of Labor and Industry

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Labor and Industry and for the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of nonety-nine thousand dollars ($99,000) for the payment of the deficiency in the appropriation for the payment of salaries wages and other expenses for the administration of the social security administration fund the sum of six thousand dollars ($6,000)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of salaries wages general expenses printing supplies equipment fuel and incidental expenses and for all expenses of maintenance and operation for the proper conduct of the Public Service Institute including the Firemen's Training School at Lewistown the sum of nineteen thousand dollars ($19,000)

For the payment of the deficiency in the appropriation for the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians to be paid to the Superintendent of Schools of Warren County to be expended and disbursed by him in maintaining and conducting the school on the Cornplanter Indian Reservation for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of one hundred sixty-four thousand seven hundred ninety-nine dollars ($164,799)

For the payment of the deficiency in the appropriation for the payment of expenses of members of county boards of school directors and the fees of their attorneys the sum of four thousand dollars ($4,000)

To the Department of Welfare

For the payment of the deficiency in the appropriation for the payment of the alary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State owned institutions subject to the supervision of the department the sum of ninety-three thousand dollars ($93,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of four hundred thousand dollars ($400,000)

II Judicial Department

Supreme Court

For the payment of the deficiency in the appropriation for the payment of the salaries of the Supreme Court Judges the sum of three hundred eighty-one dollars seventy-nine cents ($381.79)

For the payment of the deficiency in the appropriation for the payment of the salary and expenses of the criers tipstaves official stenographers court officers and law secretary of the Chief Justice of the Eastern Middle and Western Districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of one thousand two hundred fifty dollars ($1,250)

For the payment of the deficiency in the appropriation for the payment of the fees of the prothonotaries of the Supreme Court of the Eastern Middle and Western Districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred nineteen the sum of one thousand five hundred dollars ($1,500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

Court of Common Pleas

For the payment of the deficiency in the appropriation for the payment of the salaries of the Judges of the Courts of Common Pleas learned in the law in the several Judicial Districts of the Commonwealth the sum of seventy-one thousand dollars ($71,000)

Orphans' Court

For the payment of the deficiency in the appropriation for the payment of the salaries of the Orphans' Court Judges in the several Judicial Districts in which separate Orphans' Courts have been established by law the sum of one thousand seven hundred dollars ($1,700)

County Court of Allegheny County

For the payment of the deficiency in the appropriation for the payment of the salaries of the Judges of the County Courts for County of Allegheny the sum of four hundred dollars ($400)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, if the Members of the Senate would turn to page 6 of this bill, I think they would readily see a pattern. If the School Employees' Retirement Fund was short over $5,000,000 last week, I cannot understand how, by any stroke of genius, or imagination, or Houdini or anything, they are not short again as of today.

Also, Mr. President, on page 7, if the State Employees' Retirement Fund was short $160,000 yesterday morning, why is it not short $160,000 today?

Mr. President, I have asked persons, who I think have capable legal minds, just what is the contract between the State and the State Employees' Retirement Fund and the School Employees' Retirement Fund. They have told me that we are bound by law, which was passed by the previous General Assembly, to put this money into the School Employees' Retirement Fund, and also into the State Employees' Retirement Fund.

Mr. President, I do not like the word "suspicion," but I have read some I guess you might call them "news releases," which have been put out by the Majority Party in the House that they were thinking, in their tax dilemma, of shortchanging these funds for the next biennium.

Therefore, Mr. President, I would like to interrogate the Chairman of the Committee on Education, Mr. Wagner.

The PRESIDING OFFICER. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. BARR. Senator Wagnor, to your knowledge, does the State at present owe the School Employees' Retirement Fund a little over $5,000,000 for the last biennium?

Mr. WAGNER. Well, I would take from the deficiency appropriation proposed that that is the amount of money which we will have to provide some day to carry out the arrangement we have, to keep in step with those funds.

Mr. BARR. You say, "some day." In other words, the deficiency is there now. At least it was told to the Members on both sides of the aisle that the deficiency was there when they voted for this bill. Has that deficiency disappeared?

Mr. WAGNER. I say, "some day," Mr. President, because in a great many of these deficiency appropriations we are confronted with the problem of paying for services rendered by employees and personnel in the Department of Mines, hospitals and sundry other places. Wages are very pertinent and a very current matter. The question of these particular appropriations which are owing, and I presume will be made sooner or later, do not have to be made today or this week. They can be made at the convenience of the Legislature.

Mr. BARR. Senator Wagner, I agree that there is quiet a bit of money in these funds. However, would you tell me if the State is not legally bound by law to contribute a certain amount to these funds each biennium?

Mr. WAGNER. I did not say that, Mr. President. I said that the State has an obligation to do its share to keep in step with the other contributing factors to these funds. I think there have been times in the past when the full amount that might be currently estimated as needed to reinforce these funds was not necessarily paid in the current biennium. I think that in the last Session we appropriated fewer millions of dollars than might have been the exact amount to carry on our full pledge.

The point that I am making, Mr. President, is that the State will provide this amount of money sooner or later. However, I say there is no obligation to do it at any given time.

Mr. BARR. you mean, Senator Wagner, that at this Session of the Legislature we do not have to contribute to the State Employees' Retirement Fund or the School Employees' Retirement Fund?

Mr. WAGNER. I said, in effect, Senator Barr, that I did not understand that there was a fixed obligation on the part of the Commonwealth to provide its full share of this money at any given time. I am not advocating, urging or agreeing to any long deferment. However, I do not understand that the obligation must be fulfilled at any given period. I think these funds have well above $500,000,000 in them. If we have an obligation to pick up the slack to the extent of nine, ten twenty or thirty million, I think as far as legality goes, we could provide a portion of that one biennium and, of course a portion in another. I do not think that the funds would be ruined if we withhold the last million for a period of a week or a month or a Session.

Mr. BARR. I agree with that. We should withhold it until the last day of the Session, because I think there is more than $500,000,000 in the funds.

The question I am trying to have answered from the other side is this, Mr. President. Is not this Session of the Legislature legally bound to contribute money to the State Employees' Retirement Fund and the School Employees' Retirement Fund in the amount of the difference between what they have made in interest and four per cent?

Mr. WAGNER. I would say, Mr. President, that the State has a moral obligation, and possibly a legal obligation, but not at any given time.

We sit in here, Mr. President, and we legislate Session after Session and we liberalize retirement funds. We allow people to move into one fund from out of another. We make eligible people who have been in the Armed Forces. We permit teachers who have taught out-of-State to pick up the intervening years in which they did not teach in Pennsylvania. Those of us who most enthusiastically do that have no knowledge of the implied cost, except to say that it will not cost too much. That "not too much" is sometimes one, two, three, four or seven million dollars, which we do not realize until the next Session, two years hence.

On that basis, Senator Barr, I say that there is a certain flexibility to the exact amount which must be put in there to maintain our moral obligation, and the question is not on what week or what month or what Session you do it, but that you make sure to carry out your moral obligation without endangering those funds.

Mr. BARR. Senator Wagner, your answer was awfully "iffy." You said you were not sure whether it was a moral or a legal obligation. Perhaps I should interrogate Senator Wade. I think he is a student on these retirement funds, and maybe he could answer that question.

Mr. WAGNER. Senator Wade is a great moralist, and I am sure he will be able to help you out.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogate?

Mr. WADE. I will, Mr. President.

Mr. BARR. Senator Wade, can you tell me if the State is only morally obligated to contribute to these funds each biennium or legally obligated?

Mr. WADE. Mr. President, the funds are currently set up on what is known as a reserve basis. There is a legal obligation, because the law sets forth the amount of matching funds the State and the districts set up, plus the contributions from the members and the compound interest.

Now, to answer the question—

Mr. BARR. Thank you very much. You have answered my question. The State is legally bound; that is all I wanted to know.

Mr. YOSKO. Mr. President, it seems that there is an appropriation involved here to the State Employes' Retirement Fund. From what I have here, frankly, I do not see how anyone could compute deficiencies or even appropriations of any kind to the State Employes' Retirement Fund, because of the way it is operated and administered.

Mr. President, I want to read here from the record. I am quoting from an audit report, and this is what it says about the accounting system. The accounting system is what determines the financial condition of any fund in the Commonwealth. I am quoting from an audit report of the Public School Employes' Retirement Fund for the fiscal year ended June 30, 1951. This is what it says, in part:

"The accounting system presently in operation by the Board does not make provisions for accruing interest on investments, nor does it provide for recording deficit interest receivable from the Commonwealth. Without such provision, it is obvious that the balance sheet at June 30, 1951, included herein, does not correctly state the financial condition of Public School Employes' Retirement Fund, nor the correct results of the operation of that Fund for the fiscal year then ended.

"Section 4, paragraph 9, of the Retirement Act provides that the Board 'shall prepare and have published annually a financial statement showing the condition of the fund and the various accounts created by this Act'. The annual reports published by the Board show only the cash receipts, cash disbursements, transfers between accounts and fund balances. No consideration is given therein to accruals and accounts receivable.

"Because of such omissions the report does not reflect the true condition of the Fund, nor of the various accounts of which it consists."

"The accounting system of the Board was found to be inadequate for the fiscal year ended June 30, 1951, in that the ledger and certain subsisdiary ledgers and records were not maintained on an accrual basis of accounting. This deficiency precludes the Board from preparing and publishing annual financial statements showing the condition of the Public School Employes' Retirement Fund, as required by the Act of General Assembly, approved July 18, 1917, P. L. 1043, as amended.

"The continuation of this accounting deficiency should not be permitted if the Board is to properly administer the Public School Employes' Retirement Fund. The present accounting system of the Board is archaic and does not lend itself to satisfactory audit. For the purpose of effecting immediate remedial measures with respect to the present unsatisfactory accounting system, the following recommendations are made:

"1. Installation of a modern accounting system maintained on an accrual basis.

"2. Establish two general ledger accounts for Employes' Annuity Savings, one for active accounts and one for inactive, the balances in these accounts to be in agreement at all times with the aggregate of the balances of the related subsidiary employes' savings account cards. This should be accomplished by periodically preparing trial balances of these cards.

"3. Computation of interest on the basis of active account balances only as provided by Act approved May 22, 1945, P. L. 827."

Mr. President, the audit also indicates that there are some school districts—and it is a sizable amount—that are rather delinquent in transmitting their contributions deducted from schoolteachers throughout Pennsylvania. They are delinquent in transmitting those funds to the School Employes' Retirement Fund. As a result, some of the schoolteachers in Pennsylvania, who are involved in such districts, are losing money for the reason that interest is not credited to their accounts until the money is actually received.

"Contributions receivable from School districts and other employers aggregated $3,987,412.81 at June 30, 1951, as compared with $1,931,710.33 at June 30, 1950, or an increase of $2,055,702.48. This increase, namely $2,055,702.48, is mainly accounted for by substantial increases in rates of contribution by school employes', school districts and other employes. All of these rate increases became effective during the fiscal year ended June 30, 1951. Contributions receivable at June 30, 1951, include amounts representing employes' contributions in the total amount of $1,776,456.50. The employes' contributions are deducted from their salaries by their employers and transmitted by the latter to the Board. As disclosed in previous audits, several employers are not transmitting these contributions promptly. The failure to do so penalizes the employes by reason of the fact that their annuity savings accounts are not credited with interest on their contributions until they are received by the Board."

It seems to me, Mr. President, that before we approve any deficiency appropriations we should see to it that the accounting system in the School Employes' Retirement Fund is modernized so that the statements they give us in connection with requests for appropriations, contributions or deficiencies should be in proper order and something that we could rely on. If the accounting system is in the shape that is indicated, I do not see how anyone can arrive at a figure that we could pass upon here today.

For that reason, Mr. President, I just cannot with sincerity vote for this bill.

Mr. MAHANY. Mr. President, the main reason why I am especially interested in House Bill No. 445 is because it provides for an appropriation to the Department of

Welfare, on page 7 of the bill, in the amount of $93,000. If it were not for that, we could let this whole thing go over until next Monday and consider it more in full.

Mr. President, I understand that certain employees, most all of the employees for that matter, over in the Department of Welfare have not received a pay check in over three weeks, and if we do not act upon this today, they will not get paid for another week or so. You and I know, perhaps we are a little better off than some of those Department of Welfare employees, but when you do not get a pay check it is hard to pay the grocery bill. Those people are employees over there, and they must get some pay or they are really going to be up against it for funds. So, Mr. President, I am especially interested that we vote today on this bill so that they might receive their pay checks.

I would also like to stay in Session, Mr. President, so that when this is sent over to the House for its concurrence in the amendment which we have put in, that we can get it back from them and get it signed so that it can be signed into law today.

Mr. President, for the purpose of cutting out some of the things that might have been controversial, we put the amendments in yesterday to cut out the deficiency appropriations for the School Employes' Retirement Fund, in lines 10 through 20 on page 6, and line 1 through 5 on page 7. We can take care of that in a later bill, but it is necessary that we all vote "aye" on this bill so that these Department of Welfare employees may receive their pay checks.

Mr. LANE. Mr. President, in regard to the deficiency appropriations contained in House Bill No. 445, the Minority Party takes the position that we are not going to vote against appropriations for hospitals or for salaries or wages which we feel are justly due.

Mr. President, we do want to call to the attention of the Members of the Majority Party that if we continue along this line, there is no use in holding budget hearings; there is no use in spending a lot of time and money on working out budgets. We are confronted here with a huge deficiency which we realize must be paid. However, we are serving notice now, we are going along with this appropriation, or all of them rather, with the thought in mind that we are going to reserve our criticism for those deficiencies which, in our opinion, do not contain any merit.

It places us in a position, Mr. President, where we feel that it is not the employees who are to blame. We feel it is the fault of the administrators in State Government, because they assumed an obligation to operate within the confines of their budget as set up by the last Session of the Legislature. Those are the persons who should be subjected to criticism. We say to you Members of the Majority Party, who have the responsibility of operating the Commonwealth of Pennsylvania, that you, yourselves, should have counseled with these executives and administrators, and inform them that they are the persons who are forcing us into this fiscal dilemma.

Mr. McCREESH. Mr. President, I am going to vote for this bill simply because I think it is a shame that those people, employees of the State, as you say, have not been paid for the last three or four weeks, and I am going to vote for the bill. I think they should be paid weekly when they do their work.

Mr. MAHANY. Mr. President, I do not believe that you can blame this all on the administration. Perhaps we, in the Senate and the House, should take some of this blame, too.

You know, Mr. President, we are prone to vote for increases for employees, and then we do not provide the money in the appropriation to take care of the increases. Now, I understand that two years ago we voted for an increase of ten per cent for the employees of these various departments, but did not put enough money in the appropriation to take care of the increase which we had voted. I do not know what kind of a miracle man can be in these administrative jobs, and can give the increase and still get along on the appropriation. That is the position in which we place these people, and I think we should assume a little blame ourselves for that.

Mr. YOSKO. Mr. President, I just want to make my position clear, because I am going to vote for the bill after a conference with the Minority group.

I just want to say, Mr. Preisdent, that I am not opposed to contributions to the School Employes' Retirement Fund. Neither am I opposed to the payment of salaries to employees who earned those salaries. So far as deficiency appropriations are concerned, one of the reasons why we have them, in addition to the reasons I stated this morning, is the fact that it has been the experience with the executives, the heads of these department in the past, that they can go ahead and go on a spending spree, exhaust their appropriations before the end of the biennium and come over there with a sob story, tears in their eyes, present a bill, we argue about it a little bit but in the last analysis approve it.

Mr. President, I think it is about time we took the opposite position and just decline to approve deficiency appropriations. If we made an example of them once, perhaps we would not have a recurrence of the situation.

Mr. President, so far as the Employes' School Retirement Fund is concerned, I think at the 1949 Session we appropriated $100,000 to get the accounting system in shape over there. As I understand it, they went out and employed private accountants and brought them in and spent the $100,000, but the accounting system is still in the shape that it was in.

I propose to let the schoolteachers of this State know just how their funds are being administered, Mr. President. From the official records, it is being administered in far from an efficient manner. It is about time we grabbed the bull by the horns, appointed a committee from this Senate, went over and took a look at the accounting system ourselves and come back in here and make provisions to put it on a basis so that when a financial statement is presented to us, we can take it and believe what it states. As the situation is now, that is almost impossible.

The PRESIDING OFFICER. The Chair wishes to advise the gentleman from Northampton that he is going to vote for the bill, but he cannot make his position clear.

Mr. DENT. Mr. President, we have a very serious and important hearing in the next few minutes and, therefore, I am not going to take the time of the Senate to discuss the merits or demerits of this bill.

Mr. President, I want to say, in fairness to the Members of the Senate, that all deficiency appropriations should be presented to the Senate in individual bills dealing with the individual departments. However, I would rather stand here and vote for a deficiency appropriation which admits that there has been a spending program over and above the budget, rather than have a repetition of what happened here in the last biennium under Governor Duff.

Mr. President, if all of you will remember, Governor Duff took $40,000,000 of already appropriated moneys of the Commonwealth of Pennsylvania in the various departments, and took that $40,000,000 without any right, legal right or legislative right, and spent it for public assistance during the last two years of his administration. At least these departments have had the courage to come before us and say, "We have overspent the budget that you gave us; we could not help ourselves," or words to that effect, and, "We stand here and tell you that we need this money to meet obligations." I would rather have it done that way than the method employed by Governor Duff.

Mr. LANE. Mr. President, I do not want to take the time of the Senate because I, too, want to attend this public hearing, but I would like to answer the Majority Floor Leader by saying that the deficiency appropriations which we have before us today are, in part, the result of the trimming which took place several years ago when the Majority Party wanted to balance the budget. All they did was decreased the estimated amount of their expenditures, and they increased the amount of revenues under the tax measures.

I could see this all along, Mr. President. I expect we will have quite a number of other deficiency bills before us. They have wrapped them up in such a way that you have it in an omnibus form here. We are in the position whereby we have to vote for all of these appropriations because they are contained in one bill.

Mr. President, as Senator Dent has said, we should have these deficiency approprations in individual pieces of legislation so we can discuss each and every one individually and intelligently.

Mr. BERGER. Mr. President, the gentleman from Washington has said in part what I was going to say, but I recall that it has been the position of the Minority Party that the Majority has rather consistently underestimated the revenues and overestimated the amount of taxes, and that, I believe, is not the position.

Mr. President, I do want to call attention to the fact that on page 3 there is a great part of this deficiency made up of $3,433,823 to the Department of Health. In all fairness to this department head, I think it is well understood by both the Minority and the Majority that this deficiency come about because this Legislature told the school districts that they must employ a school nurse for very 1500 pupils. Then they told the Department of Health that they had to pay those school nurses on the basis of the reimbursement for teachers. We appropriated something over $6,000,000 for that purpose, and actually it cost over $9,000,000. Because we were unable to estimate the exact cost, and we told them to do something which they had to do, now they come before us with this deficiency.

Mr. President, I believe that all the unctuous statements here about the department heads are rather out of order.

Mr. YOSKO. Mr. President, I cannot let that statement go unchallenged. The gentleman from Potter states that we were unable to estimate the amount that would be required to pay the nurses. I have said all along, and I still say now, that if we had an up-to-date budget bureau, and up-to-date budget bureau that based its figures on study, we could get correct figures here and eliminate deficiency appropriations.

Mr. President, I repeat what I said this morning. There is a bill in here now to set up an Accountant General in Pennsylvania which will get rid of the obsolete, do nothing budget bureau that we have at the present time and control expenditures, put this Commonwealth on a basis to operate on an accrual basis rather than a cash basis, and permit us to know, at any given date, the true financial condition of the Commonwealth, which is impossible at the present time.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MILLER. Mr. President, I wish to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Beaver will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	Mallery,	Stiefel,
Barr,	Hare,	McCreesh,	Taylor,
Berger,	Harney,	McCusker,	Toole,
Blass,	Holland,	McGinnis,	Wade,
Camiel,	Kephart,	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Watkins,
Crowe,	Kopriver, Jr.	Pechan,	Watson,
Dent,	Lane,	Peelor,	Weiner,
Diehm,	Leader,	Propert,	Wolfe,
DiSilvestro,	Letzler,	Ruth,	Yosko,
Fleming,	Madigan,	Silvert,	Walker,
Freed,	Mahany,	Stevenson,	Presiding Officer

NAYS—1

Miller,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL INTRODUCED AND REFERRED

Mr. WOLFE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE read in place and presented to the Chair Senate Bill No. 541, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims and providing for the hearing, adjustment and payment of moral claims of persons injured while members of the Pennsylvania National Guard through the negligence of felow members of the Pennsylvania National Guard in certain cases.

Which was committed to the Committee on Appropriations.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or pirvate bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 67, entitled:

An Act to amend subsection (a) of section 2 of the act approved the twenty-third day of May, 1945 (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," by further defining the practice of engineering.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 70, entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and authorizing or ratifying payments on such contracts by the school district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 112, entitled:

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 219, entitled:

An Act to further amend section 1169 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by excusing school districts from payment of salary to teachers on sabbatical leave who receive a grant equal to or exceeding their salary payable during the year of leave.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 287, entitled:

An Act to further amend Section 11 of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, [illegible] and rights from taxation and judicial process and providing penalties"; by providing for retroactive service allowance of certain employes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 450, entitled:

An Act relating to the establishment and operation of educational television stations; conferring powers and imposing duties upon the Department of Public Instruction.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 451, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing certain contracts relating to television.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act to reenact and further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing educational television stations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 468, entitled:

An Act to amend Section 516.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto;" by extending the area in which school directors may attend certain meetings.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 473, entitled:

An Act to further amend subsection A, of Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by authorizing as Authority projects, buildings, grounds and structures for the purpose of holding farm shows.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by further regulating compulsory attendance of pupils.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 885, entitled:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of surveyors not resident in the county to boards of viewers in counties of the eighth class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for one hour and a half for the purpose of permitting the Judiciary General Committee to hold a public hearing on the adoption bills pending before the Senate.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, May 4, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:21 o'clock p. m., Eastern Standard Time, until Monday, May 4, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 28, 1953

The House met at 12:30 p. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty and everlasting God, Who makest us both to will and to do those things that are good and acceptable unto thy divine majesty. We pray for these Thy servants, let Thy fatherly hand ever be over them, let Thy Holy Spirit ever be with them, and so lead them in the knowledge and obedience of Thy word, that in the end they may obtain everlasting life; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, April 27, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Monday, April 27, 1953 be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. SCHWARTZ. HOUSE BILL No. 1198.

An Act prohibiting a judge or justice of any appellate court from sitting in any case wherein he or any relative has a personal or private interest, either as to the matter in litigation or as counsel; and providing a remedy for violations.

Referred to the Committee on Judiciary.

By Mr. MILLS. HOUSE BILL No. 1199.

An Act to add section nine hundred forty-one point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the coloring or dying of chickens, ducks or rabbits; and prohibiting the sale of colored or dyed chickens, ducks and rabbits.

Referred to the Committee on Law and Order.

By Messrs. GLICK and WILBUR H. HAMILTON. HOUSE BILL No. 1200.

An Act to amend Section 20 of the act approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by changing the provisions relating to contributing to the delinquency of a child.

Referred to the Committee on Judiciary.

By Messrs. GLICK and WILBUR H. HAMILTON. HOUSE BILL No. 1201.

An Act providing for the levy and execution pursuant to court order for support upon wages, commissions or earnings payable to an employe; and imposing duties upon employers and penalties for failure to comply.

Referred to the Committee on Judiciary.

By Messrs. GLICK and WILBUR H. HAMILTON. HOUSE BILL No. 1202.

An Act to further amend subsection (a) of section 3 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled as amended "An act relating to the support of indigent persons; providing for the support or such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by establishing liability for support upon grandparents for indigent grandchildren; and upon grandchildren for indigent grandparents.

Referred to the Committee on Judiciary.

By Mr. WILBUR H. HAMILTON. HOUSE BILL No. 1203.

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes, authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by limiting the rate of tax permitted on transfers of title of real property.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. PHILLIPS. HOUSE BILL No. 1204.

An Act to amend Section 1 of the act approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 131), entitled "An act requiring cities of the second Class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year, except in emergency cases," by further regulating minimum vacation periods.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. LIPPINCOTT and READINGER. HOUSE BILL No. 1205.

An Act pertaining to the resignation and retirement of judges under certain conditions; fixing their compensation upon resignation or retirement and imposing duties on certain State officers.

Referred to the Committee on Judiciary.

By Messrs. HELM and GUTHRIE. HOUSE BILL No. 1206.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violations of the act, codifying, revising and consolidating the laws relating thereto; and repealing certain acts and

parts of acts relating to elections," by changing filing fees for nomination petitions of jury commissioners.

Referred to the Committee on Elections and Apportionment.

By Messrs. WILLIAMS and McCANN.

HOUSE BILL No. 1207.

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-five (P. L. 1198), entitled "An act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method; regulating such mining; and providing for penalties," by appropriating all funds derived from registration fees, forfeiture of bonds, cash securities and deposits in lieu of planting, to the Department of Mines to be used by the Secretary of Mines as herein provided.

Referred to the Committee on Mines and Mining.

By Mr. RICHTER. HOUSE BILL No. 1208.

An Act to amend Section 3 of the act, approved the seventh day of January, one thousand nine hundred fifty-two (P. L. 1841), entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace, and imposing liability therefor upon the county in certain cases," by imposing liability for costs or fees on private prosecutors in certain cases.

Referred to the Committee on Judiciary.

By Mr. RICHTER. HOUSE BILL No. 1209.

An Act to amend the title and the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defenders, and witnesses appear on the transcript thereof," by imposing costs on private prosecutors in certain cases, and prohibiting payment by counties.

Referred to the Committee on Judiciary.

By Messrs. WATERHOUSE, BLAIR and QUISENBURY. HOUSE BILL No. 1210.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres, more or less, of land, situated in the City of Erie, Erie County, Pennsylvania.

Referred to th eCommittee on State Government.

By Mrs. MARKLEY, Mrs. VARALLO, Mrs. COYLE, Mrs. MUNLEY and Mrs. MONROE.

HOUSE BILL No. 1211.

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 1212.

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

Referred to the Committee on Judiciary.

By Mr. GIBSON. HOUSE BILL No. 1213.

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "final salary" and changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement, and making such changes retroactive in certain cases.

Referred to the Committee on State Government.

By Messrs. DAVIS and GIBSON.

HOUSE BILL No. 1214.

An Act to further amend Section 222 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." by providing for installation of time clocks in certain State agencies and imposing duties on the Auditor General.

Referred to the Committee on State Government.

By Mr. DAVIS. HOUSE BILL No. 1215.

An Act to amend Section 830 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining the term "log" as used in provisions requiring that logs carried on certain vehicles and trailers be securely fastened.

Referred to the Committee on Motor Vehicles.

By Messrs. BOLTON, THOMAS H. W. JONES, KRATZ, WILLAREDT and LAFORE.

HOUSE BILL No. 1216.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters.

Referred to the Committee on State Government.

By Messrs. STIMMEL, YOUNG, GREENWOOD and GUTHRIE. HOUSE BILL No. 1217.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the penalty as to speed.

Referred to the Committee on Motor Vehicles.

By Messrs. STIMMEL and SHOEMAKER.

HOUSE BILL No. 1218.

An Act to reenact and further amend Section 220 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by increasing the resident fishing license fee.

Referred to the Committee on Fisheries.

By Mr. GUTENDORF. HOUSE BILL No. 1219.

An Act authorizing the Pennsylvania Liquor Control Board to issue permits for the retail sale of malt or brewed beverages by grocery stores.

Referred to the Committee on Liquor Control.

By Messrs. MOSCRIP and BAUMUNK.

HOUSE BILL No. 1220.

An Act adopting the Scribner Decimal C log rule as the standard log rule for determining the board foot content of saw logs.

Referred to the Committee on Game and Forestry.

By Mr. LEDERER. HOUSE BILL No. 1221.

An Act to enable the governing bodies of cities of the first and second class A to establish by ordinance the requirements of responsible bidders for city printing and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. LEDERER. HOUSE BILL No. 1222.

An Act to enable the county commissioners of counties of the first and secand classes to establish by resolution the requirements of responsible bidders for county printing and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. VAN SANT and PETROSKY.

HOUSE BILL No. 1223.

An Act to amend clause (a) of Section 468 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances, and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures, providing for local option, and repealing existing laws," by permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances.

Referred to the Committee on Liquor Control.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY. RESOLUTION No. 51.

In the House of Representatives, April 27, 1953.

Whereas, There are many obsolete laws upon the statute books of this Commonwealth; and

Whereas, These obsolete laws should not be repealed without a careful study first being made thereof; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a study of the laws of this Commonwealth for the purpose of ascertaining which laws are obsolete; and be it further

Resolved, That the said Joint State Government Commission shall make a full report of such obsolete laws with their recommendation to the next General Assembly that the same be repealed.

Referred to the Committee on Rules.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 27, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 4, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday May 4, 1953 at three-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEE

Mr. BAUMUNK, from the Committee on Highways, reported as committed, House Bill No. 80, entitled:

An Act to further amend subsection (1) of Section 4 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

Mr. KOHL, from the Committee on Labor Relations, reported as committed, House Bill No. 91, entitled:

An Act to amend subsection (b) of Section 1 and Sections 2 and 4 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1401), entitled "An act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by further defining employer, providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages.

Mr. RUBIN, from the Committee on Judiciary, reported as amended, House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates, and imposing liability therefor upon the county in certain cases.

Mr. McINROY, from the Committee on Law and Order, reported as committed, House Bill No. 555, entitled:

An Act to add Section 650.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting publications devoted to fictional deeds of crimes, bloodshed, lust or immorality which tend to incite minors.

Mr. LIPPINCOTT, from the Committee on Judiciary, reported as committed, House Bill No. 581, entitled:

An Act to amend Section 3 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permiting any such corporation incorporated prior to one thousand eight hundred seventy-four, to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act.

Mr. LAFORE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 591, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements and penalties concerning lamps, illuminating devices and reflective materials.

Mr. RAGOT, from the Committee on Fisheries, reported as committed, House Bill No. 601, entitled:

An Act to amend sction 200 of the act, approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary

lakes and boundary rivers of the Commonwealth," by giving the Pennsylvania Fish Commission power to use any method or means of fish eradication for the purpose of fish management and control.

Mr. IDE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 664, entitled:

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

Mr. TOLL, from the Committee on Judiciary, reported as committed, House Bill No. 692, entitled:

An Act to amend the act approved the eighth day of May, one thousand nine hundred seven (P. L. 184 No. 146) entitled "An act to further remove the disability of a wife in testiying in cases where the husband is a party," by making husband competent witness in rebuttal under certain circumstances.

Mr. WILLARDT, from the Committee on Law and Order, reported as committed, House Bill No. 796, entitled:

An Act to amend Section 916 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to injure or break television towers, wires, cables, or to interfere with the electrical signals thereof and providing penalties.

Mr. BOLTON, from the Committee on Townships, reported as amended, House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring supervisors to fix certain compensation of the township secretary, clarifying certain provisions relating to compensation of township auditors, authorizing certain training of policemen at township expense, increasing powers of supervisors to regulate garbage and rubbish, authorizing erection of parking meters and regulation of parking meter charges, providing for township acquisition and control of abandoned cemeteries, regulating the adoption of fire prevention codes, authorizing cooperation with other political subdivisions in promotion of health, authorizing control of disorderly practices, changing taxing powers of townships and the provisions of the act relating to public parks, recreation places and facilities and park and recreation boards.

Mr. ASHTON, from the Committee on Townships, reported as committed House Bill No. 965, entitled:

An Act to add Article XX-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the creation of planning commissions and prescribing their powers and duties.

Mr. CONNELLY, from the Committee on Townships, reported as amended, House Bill No. 970, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by providing salaries for members of zoning board of adjustment.

Mr. WORLEY, from the Committee on Townships, reported as amended, House Bill No. 1003, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers; prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health, and providing for payments of expenses by townships.

Mr. STONER, from the Committee on Fisheries, reported as committed, House Bill No. 1009, entitled:

An Act to amend section 272 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

Mr. BOMBERGER, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1021, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making and appropriation and providing for refunds," by further regulating size and weight of buses.

Mr. McINROY, from the Committee on Law and Order, reported as committed, House Bill No. 1095, entitled:

An Act to add section seven hundred twenty-three point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any prisoner to hold a guard, or any other person, as a hostage in a penal institution.

Mr. MOSCRIP, from the Committee on Townships, reported as committed, House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act, approved the sevententh day of May, one thousand nine hundred forty-five (P. L. 624), entitled "An act requiring the recorder of deeds of every county, except counties of the second class, to report transfers of property to the commissioners of townships of the first class, by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

Mr. BOLTON, from the Committee on Townships, reported as committed House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

Mr. BOLTON, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 43, entitled:

An Act to amend Section 1 of the act approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

Mr. McCANN, from the Committee on Fisheries, reported as amended, Senate Bill No. 122, entitled:

An Act to reenact and amend subsection C of section two hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for non-resident fishing licenses.

Mr. LIGHT, from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 416, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

Mr. ROVANSEK, from the Committee on Labor Relations, reported as committed, Senate Bill No. 422, entitled:

An Act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this and repealing certain acts" by increasing certain fees.

Mr. PFAFF, from the Committee on Labor Relations, reported as committed, Senate Bill No. 423, entitled:

An Act to amend sections ten, fourteen and fifteen of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616), entitled "An act defining, regulating and providing for the licensing and registration of employment agents, and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties, and repealing existing laws," by increasing certain fees.

Mr. KOHL, from the Committee on Labor Relations, reported as committed, Senate Bill No. 424, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees.

Mr. WELSH, from the Committee on Labor Relations, reported as committed, Senate Bill No. 425, entitled:

An Act to further amend sections four, five and ten of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

Mr. OGLIVIE, from the Committee on Labor Relations, reported as committed Senate Bill No. 426, entitled:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act

defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees.

Mr. HERSCH, from the Committee on Labor Relations, reported as committed, Senate Bill No. 427, entitled:

An Act to amend section five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

Mr. RUBIN, from the Committee on Labor Relations, reported as committed, Senate Bill No. 428, entitled:

An Act to amend the act, approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," by increasing certain fees.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. STONER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. LEDERER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. McINROY asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. STIMMEL asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

HIGHWAY USE AND HIGHWAY COSTS

Mr. ROYER presented a communication and report from the Joint State Government Commission dealing with Highway Use and Highway Costs.

The communication was read by the Clerk as follows:

April 28, 1953.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith A Report of the Joint State Government Commission, Session of 1953, dealing with Highway Use and Highway Costs.

Copies of this report for distribution to the members of the House of Representatives have been delivered to the office of the Chief Clerk of the House.

Respectfully submitted,

BAKER ROYER,
Chairman.

(For report, see Appendix)

YOUNG CHRISTIANS YOUTH GROUP WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of the Young Christians Youth Group of Weisenberg and Seiberlingsville, Lehigh County. The group is accompanied by their President, Marian Bittner. They are the guests of the lady from Lehigh, Mr. Markley.

BETHLEHEM WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair also is happy to welcome to the Hall of the House a group from the Bethlehem Women's Club under the direction of Mrs. Floyd Heller. They are the guests of the lady from Lehigh, Mrs. Markley.

STUDENTS FROM SAXTON ELEMENTARY SCHOOL WELCOMED

The SPEAKER. The Chair is happy to welcome to the Hall of the House a delegation of students from the Saxton Elementary School of Bedford County, under the supervision of their teachers, Mr. and Mrs. Berkstresser, Mrs. Carry Baker and Mrs. Audrey Duvall. They are the guests of the gentleman fom Bedford, Mr. Clapper.

SENIOR CLASS OF SOUTH WILLIAMSPORT HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes a body of students from the Senior Class of South Williamsport High School, Lycoming County, under the supervision of their teacher, Miss Ruth Sanders. They are the guests of the gentleman from Lycoming, Mr. Gleason.

SENIOR CLASS OF HUSTONTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is also happy to present to the House the Senior Class of the Hustontown High School of Fulton County, under the supervision of their teacher, Mrs. Blaine. They are the guests of the gentleman from Fulton, Mr. Kerlin.

STUDENTS FROM JOHN HARRIS HIGH SCHOOL WELCOMED

The SPEAKER. We are also happy to have with us today students from the John Harris High School of Harrisburg. They are the guests of the gentleman from Dauphin, Messrs. Oglivie and Ziegler.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 21, 1953.

On Saturday, April 18, 1953 Judge W. Heber Dithrich,

one of Pennsylvania's truly outstanding jurists, died at his home in Allegheny County.

Judge Dithrich was elevated to the superior court in 1944 after serving nearly fourteen years on the Common Pleas Court of Allegheny County.

Prior to the beginning of his judicial career, Judge Dithrich served four years as county solicitor of Allegheny County and two years as first assistant United States attorney.

The members of the General Asembly are particularly proud that he was a member of the House of Representatives from 1917 to 1921. In his last term he served as chairman of the judiciary general committee.

After graduating from Mercersburg Academy, Washington and Jefferson College, and the University of Pittsburgh School of Law, he was admitted to the bar of Allegheny County and of the supreme court. He interrupted his private affairs twice to serve his country, serving as a first lientenant of cavalry on the Mexican border and during the first World War.

Judge Dithrich was a director of the Coraopolis National Bank and the Ohio Valley Trust Company. He was a member of the Twenty-eighth Division Society, American Legion, Sons of Union Veterans, the Ecclesiastical Court of the Pittsburgh Episcopal Diocese, the Round Table Conference of Christians and Jews, the Mercersburg Academy Board of Regents, Masonic Orders, Elks, Eagles, Phi Delta Theta, Phi Delta Phi, the Allegheny Country Club and the Duquesne Club.

The outstanding feature of Judge Dithrich's career is the fine reputation as an able jurist he earned during his tenure on the bench. Judges and lawyers, and others who follow the decisions of our appellate courts, are unanimous in their acclaim of him. He has frequently been described as exceptionally well fitted for a high judicial post, therefore be it

Resolved (if the Senate concurs), That the members of the General Assembly pay tribute to the memory of Judge W. Heber Dithrich, and on behalf of the people of Pennsylvania express our gratitude for his long and distinguished service to his State, and be it further

Resolved, That we extend our deepest and most sincere sympathy to his beloved wife and family in their hour of great loss, and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Lois Dithrich, his widow, at Fleming Street, Coraopolis, Pennsylvania.

SENATE MESSAGE

ACCEPTANCE OF PLAQUE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 27, 1953.

It is appropriate that a plaque of Dr. Samuel G. Dixon, the Commonwealth's first Commissioner of Health be publicly enshrined. Dr. Dixon was appointed in the year, one thousand nine hundred five, by Governor Samuel Pennypacker, to establish a public health program for Pennsylvania.

The work of this lawyer-physician is the basis for our present day health program. He championed the idea of direct aid to rural areas, establishing a system of county health protection under the guidance of the State Health Department. He organized the Bureau of Vital Statistics, providing thereby the basic plan for the Federal Vital Statistics Registration services. His broad vision enabled him to establish the State Tuberculosis Hospitals at Mount Alto and Cresson. His acute sense of responsibility for his fellow men coupled with his vast knowledge of the value of the use of antitoxins in combating diphtheria enabled him to materially aid in greatly reducing the mortality rate of this disease; now therefore be it

Resolved (if the House of Representatives concur), That the plaque of Dr. Samuel G. Dixon, be accepted by the Commonwealth and that the plaque be publicly enshrined in the rotunda of the main capitol building.
Serial 125

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 117, 437, 471 and 479.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, by striking out lines 1 to 5 inclusive and inserting in lieu thereof the following: "Providing for a referendum to determine the will of the electorate with respect to calling a Constitutional Convention;"

Amend Section 1, page 2, line 1, by striking out after the number "1" the lettr "(A);"

Amend Section 1, page 3, by striking out all of lines 3 to 19 inclusive; all of pages 4, 5, 6, 7, 8 and 9 and lines 1 and 2 on page 10;

Amend Section 2, page 10, line 3, by striking out after the word "Section" the number "12."

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE BILL No. 1 AND COMMUNICATION LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 1 together with the communication from the Senate be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 51

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Seaing Act of 1947"

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend page 1, Section 1, line 1, by striking out after the word "hundred" the word "twenty-five;" line 2, by striking out after the part-word "lars" the figures "($125,000)" and inserting in lieu thereof the figures "($100,000)."

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE BILL No. 51 AND COMMUNICATION LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 51 together with the communication from the Senate be laid upon the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 445

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, lines 18 and 19, by striking out on line 18 after the second word "of" the words "one hundred twenty thousand dollars ($120,000)" and inserting in lieu thereof the words "ninety-nine thousand dollars ($99,000);" page 6 by striking out lines 10 to 20 inclusive, as follows:

"For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes' Retirement Fund as required by law the sum of five million one hundred eleven thousand eighty-six dollars ($5,111,086)

For the payment of the deficiency in the appropriation for the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as reqired by law the sum of one million seven hundred forty-seven thousand seven hundred nineteen dollars ($1,747,719)."

Amend page 7 by striking out lines 1, 2, 3, 4, and 5 as follows:

"To the Department of State

For the payment of the deficiency in the appropriation for the payment into the State Employes' Retirement Fund to the credit of the Contingent Reserve Account the sum of one hundred sixty thousand dollars ($160,000);" by striking out on line 14 the words "one hundred twenty thousand dollars ($120,000)" and inserting in lieu thereof the words "ninety-three thousand dollars ($93,000)."

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE BILL NO. 445 AND COMMUNICATION LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 445 together with the communication from the Senate be laid upon the table.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. GUTENDORF, from the Committee on Motor Vehicles, reported as committed, House Bill No. 344, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the registration fee of certain motor buses and motor omnibuses and prohibiting the use of metal or solid rubber or cushion rubber tires on such vehicles.

Mr. QUISENBERRY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 573, entitled:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

Mr. QUISENBERRY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 574, entitled:

An Act to amend Section 201 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by further defining real estate to be valued and assessed for taxation.

Mr. AUKER from the Committee on Municipal Corporations, reported as committed, House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties," by requiring magistrates, aldermen and justices of the peace to make monthly settlements with certain political subdivisions.

Mr. CIANFRANI from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 294, entitled:

An Act to further amend subsections (b), (c) and (e) of section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts, and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GLICK asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 9, Printer's No. 16,
Senate Bill No. 16, Printer's No. 164,
Senate Bill No. 21, Printer's No. 103,
Senate Bill No. 76, Printer's No. 36,
Senate Bill No. 207, Printer's No. 65 and
Senate Bill No. 211, Printer's No. 29,

were passed over at the request of the SPEAKER.

TIME EXTENDED ON BILL

Mr. JOHNSON asked and obtained unanimous consent to extend the time five days on House Bill No. 141, Printer's No. 56, on page 9 of today's calendar, bills on second reading postponed.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 908, Printer's No. 168 and
House Bill No. 909, Printer's No. 169,

were passed over at the request of the SPEAKER.

TIME EXTENDED ON BILL

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 608, Printer's No. 83, on page 10 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 13, Printer's No. 144,
House Bill No. 38, Printer's No. 54,
House Bill No. 343, Printer's No. 128,
House Bill No. 352, Printer's No. 147,
House Bill No. 504, Printer's No. 148,
House Bill No. 705, Printer's No. 149,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 817, Printer's No. 100,
House Bill No. 818, Printer's No. 101,
House Bill No. 819, Printer's No. 102,
House Bill No. 889, Printer's No. 136,
House Bill No. 953, Printer's No. 152,
House Bill No. 1077, Printer's No. 154 and
House Bill No. 1078, Printer's No. 155,

were passed over at the request of the SPEAKER.

RESOLUTIONS

Mr. BOLTON offered a resolution which was filed with the Clerk.

Mr. POLTENSTEIN offered a resolution which was filed with the Clerk.

ADJOURNMENT

Mr. COMER. Mr. Speaker, I move that this House do now adjourn until Monday, May 4, 1953 at 3:30 p. m. E. S. T.

The motion was agreed to, and (at 5:13 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, MAY 4, 1953. No. 34.

SENATE

MONDAY, May 4, 1953

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. L. HERDMAN HARRIS, III, Rector of St. James Memorial Church, Titusville, offered the following prayer:

Let us pray.

O most gracious God, we humbly beseech Thee as for the people of these United States in general, and for those of the Commonwealth of Pennsylvania in particular, so especially for the Senate of this Commonwealth here now assembled, that Thou wouldst be pleased to direct and prosper all their consultations to the advancement of Thy glory, the good of Thy church, the safety, honor and welfare of Thy people, that all things may be so ordered and settled by their endeavors upon the best and surest foundations that peace and happiness, truth and justice, religion and piety may be established among us for all generations.

These and all other necessaries for them, for us and Thy whole church we humbly beg in the name and mediation of Jesus Christ, our most blessed Lord and Savior, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. SNOWDEN, due to serious illness in the family.

Mr. WATKINS asked and obtained leave of absence for Mr. WATSON, because of pressing business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, prestned communicafions in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrísburg, May 4, 1953

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert P. Dunkle, 4393 North Sixth Street, Harrisburg, Dauphin County, for appointment as Justice of the Peace in and for the Township of Susquehanna, Dauphin County, until the first Monday of January 1956, vice John G. Felty, deceased.

JOHN S. FINE.

MEMBER OF CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennyslvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles W. Llewellyn (Republican), 30 West Holland Street, Summit Hill, Carbon County, for appointment as a member of the Carbon County Board of Assistance, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Fred T. Crawford, Summit Hill, deceased.

JOHN S. FINE.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennyslvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Walker, 200 Ninth Avenue, Collegeville, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Collegeville, Montgomery County, until the first Monday of January 1954, vice Arthur Rasmussen, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennyslvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert Boocock, Skippack, Montgomery County, for appointment as Justice of the Peace in and for the Township of Skippack, Montgomery County, until the first Monday of January 1956, vice Edward J. McQuaid, resigned.

JOHN S. FINE.

MEMBER OF STATE PLANNING BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore L. Hazlett, Jr., 906 Delafield Rd, Pittsburgh, Allegheny County, for appointment as a member of the State Planning Board, to serve until November 17, 1953, and until his successor shall have been appointed and qualified, vice Wallace Richards, Pittsburgh, resigned.

JOHN S. FINE.

COMMUNICATION FROM GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING NOMINATION OF CHARLES S. STORER AS MEMBER OF BOARD OF TRUSTEES, SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 10, 1953, for the appointment of Charles S. Storer, Elizabeth, Allegheny County, as a member of the Board of Trustees of Slippery Rock State Teachers' College, to serve until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice John Evans Rose, Edgeworth, resigned.

I respectfully request the return to me of th official message of nomination in the premises.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 4, 1953.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Walter A. Reuter, Pittsburgh, 2110 Oliver Bldg.
Mrs. Eileen Schiller, Dormont.

BEAVER COUNTY

Mrs. Bette Jane Sayre, Borough Twp., Vanport.

BLAIR COUNTY

D. E. Sill, Altoona.

COLUMBIA COUNTY

Rolland J. Cole, Scott Twp., Bloomsburg.

DELAWARE COUNTY

Wilbur H. Cox, Haverford Twp., Havertown.

LACKAWANNA COUNTY

Joseph F. Baldacci, Scranton.
William H. Wescott, Moscow.

LAWRENCE COUNTY

Mrs. Marie B. Lowry, New Castle.

MONTGOMERY COUNTY

Mrs. Rosie M. Scherer, Lower Pottsgrove Twp., Pottstown.

PHILADELPHIA COUNTY

J. S. Benn, Jr., 640 N. 39th St. (4).;
Philip L. London, 6501 N. Uber St. (38).
Miss Mary R. Longo, 4527 Pine St.
Mrs. Rosalind Rosen, 634 Lewis Tower Bldg., 15th & Locust Sts. (2).
William C. Smethurst, 2126 E. Tioga St. (34).

SCHUYLKILL COUNTY

Mrs. Grace N. Updegrove, Porter Twp., Muir.

YORK COUNTY

Burnell H. Weaver, Hanover.
Mrs. Hazel R. Westerman, Peach Bottom Twp., Delta.

JOHN S. FINE.

A motion was made by Mr. WALKER and Mr. HARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Stevenson,
Barr,	Hare,	McCreesh,	Stiefel,
Berger,	Harney,	McCusker,	Taylor,
Blass,	Holland,	McGinnis,	Toole,
Camiel,	Kephart,	McMenamin,	Wade,
Chapman,	Kessler,	McPherson, Jr.	Wagner,
Crowe,	Kopriver, Jr.	Miller,	Walker,
Dent,	Lane,	Pechan,	Watkins,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed House Bill No. 307, entitled:

An Act making a deficiency appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses.

Mr. WAGNER, from the Committee on Education, reported as committed House Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May, one thousand nine hundred twenty-five, (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting therefrom national service clubs raising funds for child welfare projects from the provisions of the act.

Mr. MAHANY, from the Committee on Rules, reported as committed Senate Bill No. 517, entitled:

An Act to amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by abolishing the State Tax Equalization Board; transferring the powers and duties thereof to the Department of Internal Affairs; and making an appropriation.

He also, from the Committee on Rules reported as committed Senate Bill No. 518, entitled:

An Act to amend section 2 of the act, approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608), entitled "An act merging and consolidating State housing with State planning; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code; and repealing certain act," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs.

He also, from the Committee on Rules reported as committed Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-seven (Appropriation Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

He also, from the Committee on Rules, reported as committed Senate Bill No. 520, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

He also, from the Committee on Rules reported as committed Senate Bill No. 521, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, anl officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs, and changing the membership of the board.

He also, from the Committee on Rules reported as committed Senate Bill No. 522, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the exectuive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assisttants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON, MAHANY, MALLERY, LANE and YOSKO read in place and presented to the Chair Senate Bill No. 542, entitled:

An Act to amend the Title and the act, approved the second day of May, one thousand nine hundred forty-nine (P. L. 873), entitled "An act requiring that the name, address, political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections; requiring secretaries of political subdivisions to report to said bureau the names

of persons appointed as chief administrative officials, the name of the office, and the name of the person succeeded," by eliminating certain reports from the county board of elections and requiring additional reports from the secretaries of political subdivisions.

Which was committed to the Committee on Local Government.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs and cities.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 544, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, the Commonwealth of Pennsylvania has created, through the Department of Forests and Waters, a number of State Parks. Many of them are located in the northern area of the State, and one of these is the Ole Bull State Park located in Potter County.

Probably no one present is unfamiliar with the name and at least some of the history of the great Norwegian musician, Ole Bull, who, when traveling in America in 1843 upon a concert tour that lasted two years, became so impressed with the grandeur of Pennsylvania that he conceived the idea of establishing a colony to be settled by his Norweigian countrymen.

Accordingly, Ole Bull purchased nearly 12,000 acres of land near the headwaters of Kettle Creek, and encouraged many Norwegian craftsmen and farmers to settle. Bull, himself, intended to erect an imposing structure on the colony's land and did, in fact, select a site for the edifice to be known as "Ole Bull's Castle."

Because the colony came upon rather bad times, Ole Bull never completed his castle, but he did erect on the selected site a more modest building, which in time became known, and is still referred to, as "Ole Bull's Castle." Through the years, this building has been dismantled, so that now nothing remains except a few foundation stones.

Mr. President, one of the descendants of Ole Bull, Miss Inez Bull, of Upper Montclair, New Jersey, has obtained the plans of the original structure from her grandfather in Norway. Miss Bull is very much in the tradition of her distinguished ancestor, as she is a talented concert musician. She has recently completed some 137 recordings for the Royal Norwegian Embassy Information Service relative to Ole Bull history and music.

Miss Bull and her mother, Mrs. Aurora S. Bull, are present here today. It is their hope that a music festival may be held annually at the Ole Bull State Park. This hope is shared by thousands of citizens of the Commonwealth.

Here also are Mrs. Mary Welfling, of Coudersport, whose ability as a Pennsylvania historian is recognized throughout our State; and also Mrs. H. A. Dorfeld, of Coudersport, who has delivered many lectures on the subject of Ole Bull, in Pennsylvania and in neighboring States.

Mr. President, the bill that I am about to present directs the Department of Forests and Waters to erect a replica of Ole Bull's house at the original site at the Ole Bull State Park. This can be done at very little expense to the Department, and will provide a shrine to which music and history lovers may come to renew their interest in an important phase of Pennsylvania's early days.

BILL INTRODUCED AND REFERRED

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act directing the Department of Forests and Waters to build a replica of Ole Bull's Castle on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norwegian musician.

Which was committed to the Committee on Forests and Waters, Game and Fish.

MRS. AURORA S. BULL and MISS INEZ BULL PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of two members of the Bull family, and respectfully requests Mrs. Aurora S. Bull and her daughter, Miss Inez Bull, to please rise in place and take a bow.

MRS. MARY WELFLING AND MRS. H. A. DORFELD PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to also note the presence of two other distinguished guests of Senator Berger, from Coudersport, Potter County, Mrs. Mary Welfling and Mrs. H. A. Dorfeld.

Will they please rise in place and take a bow?

BILLS INTRODUCED AND REFERRED

Messrs. MAHANY and DENT (By request) read in place and presented to the Chair Senate Bill No. 546, entitled:

An Act to further amend Clause (6) of Section 2501 and Section 2515 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the agency making valuations for reimbursement purposes.

Which was committed to the Committee on Rules.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 547, entitled:

An Act to amend the proviso of Section 3 of the Act approved the fourteenth day of January, one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled: "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and providing penalties; providing for a

State Board of Funeral Directors in the Department of Health; and repealing other laws" by extending the effective date of the proviso.

Which was committed to the Committee on Education.

Messrs. HARE and MADIGAN read in place and presented to the Chair Senate Bill No. 548, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpeonas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to produce permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder, and making appropriations," by increasing the annual license fees on milk dealers.

Which was committed to the Committee on Agriculture.

Mr. MADIGAN read in his place and presented to the Chair Senate Bill No. 549, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligations of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways, and making an appropriation to carry out the provisions of said act," by adding a new route in Bradford County.

Which was committed to the Committee on Local Government.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds, and the effect thereof.

Which was committed to the Committee on Judiciary General.

Messrs. LANE, HARE and DENT read in place and presented to the Chair Senate Bill No. 551, entitled:

An Act to promote the safety of employes and travelers upon railroads by requiring common carriers by railroad to furnish flag protection to all trains occupying the main tract; imposing powers and duties on the Public Utility Commission and other agencies of the Commonwealth relative thereto; and providing penalties.

Which was committed to the Committee on Labor and Industry.

PETITIONS AND REMONSTRANCES

The Chair cleared his table and laid before the Senate the following petition, which were read by the Clerk:

"Law of Pennsylvania Imposes 15% Tax on Bequests to Charity, Religion and Education.

"Your signatures to the following petition will tell our Legislators your disapproval of this tax.

"Write a letter to your Senator or Representative in the State Legislature telling him what you think about this tax.

"THIS PETITION is addressed to our Senators and Representatives of the General Assembly of the Commonwealth of Pennsylvania in order to tell them that we the undersigned citizens of the Commonwealth hope and pray that the great Commonwealth of Pennsylvania will not continue to impose a 15% inheritance tax on bequests to charity, education and religion. We the undersigned citizens (18 years of age and older) hereby petition our legislators to further amend the Revenue Act of June 20, 1919, as amended by increasing rate from 10% to 15% on December 21, 1951, providing for the transfer of property passing from a decedent so that hereafter transfers of property passing from the estate of a decedent to charity, religion or education shall be exempt from any kind of state tax. Inasmuch as the Commonwealth of Pennsylvania is one of only four states which are guilty of imposing a tax upon charity, education and religion, the undersigned hereby pray that our legislators protect, defend and preserve the good name of our great Commonwealth by granting the exemption herein prayed for.

"EACH SIGNER DECLARES that this is the only petition like this which he or she has signed.

"Please write Signature, Street Address or R. D. and post office on one line.

"Reverend Edward H. Vogt, 6000 Wayne Avenue, Philadelphia, 44, Pennsylvania.

"Robert N. Cracken, 1009 Westview Street, Philadelphia 19, Pennsylvania.

"Ernest D. Wilson, 138 East Walnut Lane, Philadelphia 44, Pennsylvania.

"William A. Carbey, 8110 Easton Avenue, Philadelphia 18, Pennsylvania.

"Clifford E. Wallard, Franklin Park—17B, Cheer and Duval, Philadelphia 38, Pennsylvania.

"John A. Walker, 5912 Wayne Avenue, Philadelphia 44, Pennsylvania.

"Francis Rath, 513 Fountain Street, Phihladelphia 28, Pennsylvania.

"Robert Hutchinson, 29 West Sunset Avenue, Philadelphia 18, Pennsylvania.

"Donald A. Hilsee, 150 Maplewood Avenue, Phihladelphia 44, Pennsylvania.

"Herbert D. Syle, 188 Maplewood Avenue, Philadelphia 44, Pennsylvania.

"Zaida M. Vogt. 6000 Wayne Avenue, Philadelphia 44, Pennsylvania.

"Mrs. John Cronmiller, 224 West Walnut Lane, Germantown, Pennsylvania.

"Mrs. E. Watkins, 4919 Pulaski Avenue, Philadelphia 44, Pennsylvania.

"T. L. Jones, 260 West Bastonis Street, Philadelphia 44, Pennsylvania.

"Beatrice Wells, 45 East Penn Street, Philadelphia 44, Pennsylvania.

"Elizabeth B. Cobaugh, 6200 Wayne Avenue, Philadelphia 44, Pennsylvania.

"M. Edith Crosson, 6231 McCrallum Street, Philadelphia 44, Pennsylvania.

"Ruth E. Dingler, 623 McCollum Street, Philadelphia 44, Pennsylvania.

"Mary P. W. McCabe, 40 West Washington Street, Philadelphia 44, Pennsylvania.

"Florence Uhler, 250 Harvey Street, Philadelphia 44, Pennsylvania.

"Fannie I. C. Hutchinson, 29 West Sunset Avenue, Philadelphia 18, Pennsylvania.

"Anne B. Starin, School Lane House, Philadelphia 44, Pennsylvania.

"Ruth G. Hilsee, 150 Maplewood Avenue, Philadelphia 44, Philadelphia.

"Estelle W. George, The Fairfax B2—5501 Wayne Avenue, Philadelphia 44, Pennsylvania.

"Elizabeth Gradwell, 638 West Johnson Street, Philadelphia 44, Pennsylvania.

"Lillian Souerland, 674 West Johnson Street, Philadelphia 44, Pennsylvania.

"Delphine H. Larren, 6219 Morton Street, Phihladelphia 44, Pennsylvania.

"Ida F. Scheerer, 5919 Wayne Ave, Philadelphia 44, Pennsylvania.

"Eleanor A. Wilson, 5919 Wayne Avenue, Philadelphia 44, Pennsylvania.

"Mary Bailey, 5919 Wayne Avenue, Philadelphia 44, Pennsylvania.

"Etta W. Trangleton, 5919 Wayne Avenue, Philadelphia 44, Pennsylvania.

"Irene C. Bateman, 605 West Johnson Street, Philadelphia 44, Pennsylvania.

"Anna L. Downs, 4919 Pulaski Avenue, Philadelphia 44, Pennsylvania.

"Robert Goodwin, 228 South Millick Street, Philadelphia 39, Pennsylvania.

"Mail signed petitions to Clarence Schock, President, The SICO Company, Mount Joy, Pennsylvania, so that he can present all petitions to our legislators at Harrisburg.

"Additional blank petitions will be mailed upon request."

Mr. McMENAMIN. Mr. President, some time ago, on February 23 to be exact, I was one of two joint signers of a resolution introduced to investigate the criteria by which the State Athletic Commission determines the fitness and qualifications of persons applying to it for licenses as promoters, managers, referees and so forth. At the time, I had no contemplation that such a great period of time would pass before any action was taken.

Since that time Mr. President, I have checked with sports writers and other persons in our area who are familiar with boxing and wrestling and its problems, and I have learned, and have been universally assured, that the present Chairman of the Commission, Mr. George Jones, who has jurisdiction over the northeastern Pennsylvania area, is as capable and conscientious a public servant as there is in Pennsylvania, and I think it is a little bit unfair to him and the other members of the Commission to hold up their confirmations for such a great length of time without some action.

Mr. President, it has been my feeling that professional athletics should be completely removed from the arena of politics. There is some indication in the Scranton area that perhaps politics does raise its ugly head in the granting of licenses. If you go to boxing shows up there, the referees, ticket takers, timekeepers and so forth are usually aligned with, what is termed here, the majority party. In fact, it has come to the point that perhaps the only people who are Democrats connected with it are the fighters themselves.

Mr. President, whether or not the Commission is being hampered by attempts to exert political influence on it, I do not know. I think that is the type of thing we should try to find out. I certainly do not want to see anything happen in Pennsylvania, such as most of us saw a few weeks ago in Boston, a near tragedy, which gave a terrific black eye to boxing. There is another instance of a black eye case, a very weird decision in New York several months ago, where a Pennsylvania boy, Rocky Graziano, was the victim of a very weird decision in which he won a majority of the rounds by the vote of all the judges and the referee, but yet managed to lose the fight.

Mr. President, it is that type of thing I think we should sit down with the Commission on and decide, or try to learn, what their rules are on scoring, on point systems, on compulsory counts after knockdowns, on the number of knockdowns allowed in a round and that sort of thing. Also, whether or not they think that they need additional legislation, perhaps, to go under civil service to free them completely from politics, because I think we will all agree that boxing should be a healthy sport. We do not want to see it outlawed. Certainly we can have a lot of fun in politics, but we should not infringe on areas like boxing and wrestling where the public has a great interest, and for which they are paying good money to see exhibitions.

Mr. President, I think that the State Athletic Commission should be given all the power it needs to make sure that professional athletics in Pennsylvania will be sound and healthy, and completely free from any evil influences. I would like to see some immediate action taken either on this resolution or on the confirmation.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I wish to present a resolution at this time, but prior thereto I wish to make a brief introductory statement.

Mr. President, I think that most of us were quite disappointed to read in the press that the government was going to deactivate the military reservation at Indiantown Gap. Certainly, none of us here are in a position to judge with full intelligence the wisdom or lack of wisdom of such a proposal. It certainly is not my intent to try to dictate or direct the Federal Government as to what

heir policies or procedures should be. However, Indian-own Gap is the only military reservation that this great Commonwealth of Pennsylvania has. When it was once before deactivated and later found to be needed and, herefore, reactivated, tremendous expense was involved n putting it back into condition bcause of deterioration.

Furthermore, Mr. President, it is strategically and cen-rally located from the standpoint of military personnel, and facilities, and equipment and requirements.

Most important of all, Mr. President, is the fact that a number of surrounding counties depend to a surpris-ngly great extent for the well-being of their economy upon many of the kindred activities and the civilian per-sonnel employed at this reservation.

Mr. President, we would like to feel that if this disposi-tion is to be made finally, it only be done after the Fed-eral Government is alerted to the fact that a tremendous disturbance of the economy of a number of counties, and the well-being of some thousands of civilians, is fully considered.

Mr. President, if this is the best bet, so to speak, from the standpoint of defense, military training, over-all bud-getary requirements, then certainly the State of Pennsyl-vania has no choice or desire but to follow the will of the Federal forces who direct it. However, we are tre-mendously concerned that Congress be requested, and particularly those who are familiar with the Common-wealth of Pennsylvania and its needs, to take another look, to re-examine the whole picture before they determine with finality whether this has to be.

Mr. President, we are hopeful that the activity at In-diantown Gap may be continued and that this step may be averted, because we know what hardships are in-volved for many of our people.

SENATE CONCURRENT RESOLUTION MEMORALIZING CONGRESS OF THE UNITED STATES TO RECONSIDER THE INACTIVATION OF INDIANTOWN GAP MILITARY RESERVATION

Mr. WAGNER offered the following resolution which was twice read as follows:

In the Senate, May 4, 1953.

Whereas, Congress proposes to inactivate the Indian-town Gap Military Reservation; and

Whereas, This reservation is the only military installa-tion in Pennsylvania used for training very large groups of soldiers; and

Whereas, Subsequent to the cessation of hostilities after World War II, Indiantown Gap Military Reservation was inactivated and was activated again about February 1, 1951 at a great cost to the Federal Government; and

Whereas, The reservation is ideally located from the standpoint of obtaining supplies, civilian employes, hous-ing for officers and enlisted men, transportation and recreation; and

Whereas, The inactivation of Indiantown Gap Military Reservation will have a great adverse effect on the eco-nomy of the communities within a radius of thirty miles of the reservation; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memoralizes the Congress of the United States to reconsider the inactivation of Indiantown Gap Military Reservation; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

RULE 39 SUSPENDED

Mr. WAGNER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection-

RESOLUTION ADOPTED

Mr. WALKER. Mr. President, I move the immediate adoption of this resolution.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I am certainly very pleased that the Majority Party has taken note of the fact that the Indiantown Gap Military Reservation is to be closed. This is in line with the so-called entrenchment program announced last week by President Eisenhower, when he said that although they were not going to spend as much money in defense, they were going to save quite a few millions of dollars in the defense effort of the United States and of our allies.

Mr. President, I believe that this is very false economy. This reservation has cost the United States Government between eighty and ninety million dollars over the years. I do not see how we can be prepared for war when we are closing up Indiantown Gap, plus fourteen other en-campments, and how we are going to have the facilities to train the men to fight the battles for freedom through-out the world, if we are going to continue to curtail the methods and means and the facilities for training soldiers.

This also means, Mr. President, that 2,200 employees are losing their jobs, because there are 2,200 persons em-ployed at Indiantown Gap. These are civilians who will be put back on the economy of the local communities.

Mr. President, I also do not see why they would pick out Pennsylvania as one of the States, where there is more than one camp in other States which they are not touching. They are taking the only one camp we have in Pennsylvania and closing it. To put it in moth balls means that we are going to spend another eight or nine million dollars if they have to put it back into action. This is not economy; this is just plain foolishness. It is a waste of the taxpayers money.

Mr. President, I think that if this is an example of the economy that is coming out of the Federal Govern-ment, it is a very bad exampe for a start, to take away the finest reservation for training soldiers, to take away 2,200 civilian employees of the State of Pennsylvania, and still maintain more than one two and three camps in other States throughout the United States. I think that the Republican Majority in Congress has taken it upon themselves to feel so sure of Pennsylvania that they can do anything they want with this State.

Mr. President, I wonder where Senator Martin, the man who has had experience in veterans' and National Guard affairs, and Senator Duff are on this point. I have yet to hear their voices raised in Congress against the closing of Indiantown Gap. I think the people of Penn-sylvania feel that it is about time that they hit the floor, and make the Federal Government explain to the people of Pennsylvania why they are picking on our State to close a great reservation such as Indiantown Gap.

Mr. YOSKO. Mr. President, I do not want to go into the merits of this resolution, because I am not sufficiently familiar with the situation from a military standpoint, nor from an economic standpoint in the area of Indiantown Gap or Schuylkill County.

Mr. President, I just want to remind the Senate of the fact that the other day when a resolution, I think, was presented by Senator Dent on tidelands oil, wherein he suggested that Pennsylvania Congressmen support the claims of the State so that the funds from the tidelands oil could be applied to the educational system throughout the United States, the distinguished Majority Leader at that time said that Congress should take care of its problems and let the Pennsylvania Legislature also take care of its problems.

Mr. President, since this resolution is in the same category, I am somewhat surprised that the same principle is not applied to this resolution as was applied to the resolution presented by Senator Dent, because both involve a Federal question and the Federal Administration.

Mr. WAGNER. Mr. President, I certainly would not deem it advisable to debate this resolution, but I think in all fairness to everybody in all the areas involved, perhaps we should clarify one or two items.

Mr. President, in the first place, the tidelands oil issue is of great National concern, affecting various States in various ways and causing a variety of conclusions. I, myself, attended a study class as a guest, about three Saturdays ago, in which this subject was debated as to whether the tidelands oil should be used for all of the States or where the oil happens to be located. It is amazing the number of arguments and angles that were developed and revealed at that time, to the point where nearly everybody there, and it was a rather superior group so far as general intelligence goes, decided that they had better let Congress decide, because they had been studying this pro and con for a long, long time.

Mr. President, there is no such question as that involved here. Here it is a question of trying to under-gird, or shall I say not under-gird but prevent from being undermined, the economy of this particular area in which the Capitol is located and the surrounding counties. We are not saying this thing is wrong; I mean, that the idea is wrong of closing any military reservation or that it is going to weaken our defense. It may well be, in the judgment of those who are more able to decide properly than I, or Senator Holland or Senator Yosko, that they can see their way clear to close the military reservation. However, as Senator Holland pointed out very validly, if there are States where there are two or three of these reservations, whereas Pennsylvania only has one, then he and I, and I think most of us, do not feel that it is impertinent to ask Congress to take another look, to make sure, to think about us further first.

Mr. President, I notice by the press, and I was alerted by telephone information, that Pennsylvania Senators, the Senior Senator, Edward Martin, and the Junior Senator, Senator Duff, have already taken steps to have this thing further checked and clarified. This will under-gird what they already immediately started to do, to see whether we have a valid claim in asking that this reservation be kept open.

Mr. President, it is not peculiar to counties, it is not a national issue, but it is a very terrifically great concern to four or five counties in the area of the Capitol. For that reason, I hope regardless of tidelands oil, regardless of political partisanship, regardless of any extraneous matters which might be injected or implied, that we will go along and give this a run for its money, shall I say, in all fairness to the people of all of Pennsylvania.

Mr. HALUSKA. Mr. President, I am happy to see the day that some economy is being placed in government. Last year the people of this great Country placed their faith in General Eisenhower. He should know what he is doing. We have General Martin and Senator Duff, as chief advisors, representing the people of Pennsylvania. If they see fit to close this reservation, it should be closed.

Mr. President, we cannot have our cake and eat it. We cannot talk from both sides of our mouths at the same time. We all know there is no economy in our State Government, here in Harrisburg. We all know that we are in a mess, the mess of messes. Now, when we find the President of these United States trying to reduce taxation, placing economy in government, the same group here in Harrisburg says, "No, you are wrong."

Mr. President, I object to this resolution being adopted at this time. It should be placed in committee, as other resolutions, for a cooling off period, and then bring it out on the floor for further discussion.

And the question recurring,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I object to the immediate consideration of this resolution.

Mr. MAHANY. Mr. President, I was under the impression that a motion was made for the adoption of this resolution. Are we not beyond the question of immediate consideration?

The PRESIDENT. Does the Majority Floor Leader rise to a point of order?

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. Mr. President, what is the state of the record with regard to the question of the immediate consideration of this resolution?

The PRESIDENT. There has been a motion made, and duly seconded, that the resolution be adopted as read. Then, there were several speeches made which the Chair inferred were in behalf of the motion until the Senator from Cambria took the floor and, apparently, is opposed to the motion, and then raised an objection as to whether or not the motion should be considered at this time.

Mr. MAHANY. Mr. President, is the Senator in order then, at the present time, to raise an objection to the immediate consideration?

The PRESIDENT. The Chair is of the opinion that if the Senator from Cambria desired to object to consideration of the motion, he should have made the objection before the matter was debated.

Mr. HALUSKA. Mr. President, I objected the first opportunity that I had.

Mr. President, the Chair recognized other men on the floor, and rightfully so. It was my intention at the very beginning to object to the immediate consideration, and when I got the floor I did that.

The PRESIDENT. The Chair would like to say, in reply to the statement of the Senator, that certainly he realizes that if he did not wish the motion considered, he should have immediately taken the floor and demanded recognition on which, certainly, would have been well within his rights under the Rules of the Senate.

Mr. HALUSKA. Mr. President, it is my interpretation of the Senate Rules that if one member objects to immediate consideration, that objection shall be sustained, and up until this time, in my twenty years in this chamber, that has been the rule. At no time did I think that I had to jump to the floor immediately to offer my objection. I did so at the first opportunity I had, and I objected to the immediate consideration of the passage of this resolution.

Mr. MAHANY. Mr. President, rather than have any misunderstanding about it, I withdraw any objection that I have relative to Senator Haluska's request that we do not take immediate consideration of this resolution, and ask that it be referred to committee.

Mr. WAGNER. Mr. President, if it is in order, could I make a one minute plea to the Senator from Cambria to withdraw his objection? Now, let me point out why.

The PRESIDENT. Will the Senator yield?

Mr. WAGNER. I will, Mr. President.

The PRESIDENT. The Chair feels, under the circumstances, in view of the request of the Majority Floor Leader, that he should refer the resolution to the Committee on Rules.

Mr. WAGNER. Mr. President, it would not be in order to tell you what I was about to ask?

The PRESIDENT. Yes, the Chair would be glad to hear it.

Mr. WAGNER. I would like to say to you, Mr. President, that I thought, knowing the gentleman from Cambria to be reasonable, at least after due deliberation, if he would keep in mind this fact, that if this is to have any value, time is of the essence. It may be that a matter of hours would make a difference as to whether it would be effective in Washington or not.

Since that is the case, Mr. President, naturally I would ask the Majority Floor Leader if he would be kind enough, if this is referred to committee, to have a recess after while, even though it delays the whole Senate, and let the committee act on it and report it out, if they see fit to, and then act on it later this afternoon.

Mr. President, rather than hold up Senator Haluska, as well as the rest of us—this is a simple resolution in its intent, and its purpose is defined very clearly and very briefly. It seems to me that we have already debated the pros and cons of it, and if it is necessary to debate it any further, it will only take another five or ten minutes and then we can have the issue resolved.

Because of that, Mr. President, I think possibly, if I requested, maybe the gentleman from Cambria might permit it to be considered.

Mr. HALUSKA. Mr. President, I have often heard it said here that speeches never change a vote, but the gentleman from Schuylkill has played upon my heartstrings, and really has touched me deeply.

Therefore, Mr. President, I shall withdraw my objection and give him the opportunity to pass this resolution.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Ordered, That the Clerk present same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 4, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 11, 1953 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, May 11, 1953 at three-thirty o'clock p. m., E.S.T.

SENATE RESOLUTION

EULOGIZING THE LATE JUDGE JAMES GAY GORDON, JR. AND EXTENDING CONDOLENCE TO HIS FAMILY

Mr. WEINER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 4, 1953.

Chief Justice Horace Stern, of the Pennsylvania Supreme Court, has ably stated the loss to Pennsylvania and to the legal profession occasioned by the death of Judge James Gay Gordon, Jr., with these words: "Every member of the Bench and Bar of Pennsylvania will subscribe to the fact that he was one of the ablest jurists of the Commonwealth—not only at the present time, but in all history."

A resume of Judge Gordon's life confirms the verity of Justice Stern's eulogy.

James Gay Gordon, Jr., was the second son of the late Judge James Gay Gordon, Sr. He was born January 20, 1887, in Philadelphia, and received his early education at Episcopal Academy and Phillips Exeter Academy. At the age of sixteen he entered Princeton University and graduated in 1907 with a Bachelor of Arts Degree. He immediately entered the University of Pennsylvania Law School and graduated in 1910 as a Bachelor of Laws.

In 1911 he was appointed Assistant City Solicitor for Philadelphia, a post he held until 1916 when he was appointed an Assistant District Attorney. He gained fame as a law enforcement officer by his relentless and highly successful campaign against the illegal sale of narcotics in the city.

At the age of 35, Governor Sproul, in 1922, appointed him to the Bench of Common Pleas Court Number 2 in Philadelphia. He was one of the youngest men ever appointed to a judicial post in Pennsylvania. He was elected to the office in 1923, with the whole-hearted support of both political parties. A favorable commentary upon his fairness and judicial ability is evidenced by the fact that in every succeeding election he as enjoyed this bipartisan support.

Perhaps the reason for his popularity as a man and as a jurist was his ceaseless struggle to improve the administration of justice, as exemplified by the crusade against "Straw Bail," which resulted in a revision of the court rules that greatly reduced this evil practice. His work as Chairman of the Parole Commission for Governor Earle paved the way for our present parole system. Recently, he served as a member of the advisory committee of the Joint State Government Commission, which revised the criminal code and the code of criminal procedure. His last efforts were directed toward the passage of legislation which would guarantee accused persons freedom from police coercion.

The high literary style of Judge Gordon's opinions were as famed as his legal reasoning. His decisions are outstanding examples of legal and literary masterwork.

The Commonwealth has truly suffered a great loss in the fields of law and human relationship by the death of Judge Gordon; now therefore be it

Resolved, That the Senate extend its heartfelt condolences to the family of Judge Gordon, and its sincere gratitude for his tireless endeavors to make the law just and equal to all who seek relief and protection under it; and be it further

Resolved, That the Secretary of the Senate be instructed to transmit a copy of these resolutions to Judge Gordon's widow, Mrs. Elizabeth Keller Gordon.

CALENDAR

FINAL PASSAGE CALLENDAR

BILL DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 421, entitled:

An Act to amend the title and the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Hea'th and repealing other laws" by changing the definitions of "Board" and "Department" changing the name of the department responsible for the issuance of licenses and transferring the State Board of Funeral Directors from the Department of Health to the Department of Public Instruction

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred):

Mr. McPHERSON, JR. Mr. President, not hearing my name called, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Adams will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Blass,	Hare,	Mahany,	Stevenson,
Chapman,	Harney,	Mallery,	Wagner,
Crowe,	Holland,	Pechan,	Wood,
Diehm,	Letzler,	Propert,	Yosko,
Fleming,	Madigan,	Silvert,	

NAYS—20

Bane,	Lane,	McMenamin,	Wade,
Barr,	Leader,	McPherson, Jr.	Watkins,
Berger,	McCreesh,	Peelor,	Walker,
Haluska,	McCusker,	Ruth,	Wolfe,
Kessler,	McGinnis,	Stiefel,	Taylor,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

THIRD READING CALENDAR
BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, on third reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of the State administrative departments boards commissions or officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 419, on third reading, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commisisons, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and all other assistants and employes of certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all otherassistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Public Works; transferring to it all of the powers and duties of the Department of Highways, and the State Planning Board, all of the powers and duties of the Pennsylvania Aeronautics Commissions, except the inspection, regulation and licensing of airports, those powers and duties of the Department of Property and Supplies relating to the management and control, construction and repair of all buildings owned or leased by the Commonwealth, and those powers and duties of the Department of Internal Affairs relating to municipal and township development; transferring the Board of Commissioners of Public Grounds and Buildings, the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works; providing for a Secretary of Public Works; defining his powers and duties; abolishing the Department of Highways, the State Planning Board and the Pennsylvania Aeronautics Commission; reconstituting the State Planning Board and advisory board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies; and transferring appropriations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR
BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 63, on second reading, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of section 1208, and section 1209 of the act approved the fifteenth day of May

one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking asosciations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments of savings banks.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 67, on second reading, entitled:

An Act to amend subsection (a) of section 2 of the act approved the twenty-third day of May, 1945 (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for volations of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," by further defining the practice of engineering.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 70, entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, and authorizing or ratifying payments on such contracts by the school district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 97, entitled:

An Act to prohibit acquisition of property and property rights by condemnation until payment into court of a percentage of the damages admittedly due owners.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARNEY offered the following amendments:

Amend Sec. 1, page 1, line 1 by striking out "No" and inserting in lieu thereof: "Except in the case of property or property rights taken by the Commonwealth or any of its political subdivisions, no."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HARNEY offered the following amendments:

Amend Sec. 2, page 2, line 19 by striking out "THE."

Amend Sec. 2, page 3, lines 1 and 2 by striking out both of said lines.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HARNEY offered the following amendment:

Amend Bill, page 3, by inserting after line 7: "Section 4. As used in this act 'the Commonwealth or any of its political subdivisions' does not include any authority created by or pursuant to any act of Assembly, nor the Pennsylvania Turnpike Commission."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HARNEY offered the following amendment:

Amend Title, page 1, line 1 of Title, by inserting after "condemnation": "except by the Commonwealth and its political subdivisions."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HARNEY. Mr. President, I ask unanimous consent that Senate Bill No. 97, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that House Bill No. 110, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts by making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 112, entitled:

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act to further amend section 1169 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by excusing school districts from payment of salary to teachers on sabbatical leave who receive a grant equal to or exceeding their salary payable during the year of leave.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 287, on second reading, entitled:

An Act to further amend Section 11 of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties"; by providing for retroactive service allowance of certain employes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 325, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 450, on second reading, entitled:

An Act relating to the establishment and operation of educational television stations conferring powers and imposing duties upon the Department of Public Instruction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 451, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing certain contracts relating to television.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 452, on second reading, entitled:

An Act to reenact and further amend section four of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing educational television stations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 468, entitled:

An Act to amend Section 516.1 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto;" by extending the area in which school directors may attend certain meetings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 473, on second reading, entitled:

An Act to further amend subsection A of Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by authorizing as Authority projects, buildings, grounds and structures for the purpose of holding farm shows.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto," by further regulating compulsory attendance of pupils.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 885, entitled:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hun-

dred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of surveyors not resident in the county to boards of viewers in counties of the eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing for payment of costs in addition to compensation of solicitors and exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 307, entitled:

An Act making a deficiency appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 517, entitled:

An Act to amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equaliation of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equzaliation Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by abolishing the State Tax Equalization Board; transferring the powers and duties thereof to the Department of Internal Affairs; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 518, entitled:

An Act to amend section 2 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1608), entitled "An act merging and consolidating State housing with State planning; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code; and repealing certain acts," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-sveen (Appropriations Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 520, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 521, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards,

commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs, and changing the membership of the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 522, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative offifficers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

VOCAL SOLO RENDERED BY MISS INEZ BULL

Mr. YOSKO. Mr. President, early in the Session, Senator Berger gave us a little talk and introduced a bill to provide for a festival up in Potter County on an annual basis. He told us that he had a charming young lady here who was an outstanding singer.

Mr. President, I think it would be very nice if the Chair invited the young lady to the rostrum and have her sing a song for us.

The PRESIDENT. The Chair would certainly be in favor of that. Does the Senator from Northampton have his banjo on his knee?

Mr. YOSKO. Mr. President, I forgot the banjo but I do not think she will need it.

The PRESIDENT. The Chair is delighted to see the young lady approach the rostrum.

(Vocal solo rendered by Miss Inez Bull, of Upper Montclair, New Jersey.)

The PRESIDENT. I am sure the Senators will agree that Miss Bull possesses a very rich and beautiful soprano voice. The Chair wishes to thank Miss Bull, on behalf of the Senate.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, May 5, 1953, at 12:00 o'clock m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:07 o'clock p. m., Eastern Standard Time, until Tuesday, May 5, 1953, at 12:00 o'clock m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 4, 1953

The House met at 3:30 p. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, our heavenly Father, we pray Thee for the single eye to see what is our duty, and the quiet mind that is steadfastly purposed to do it. Grant that we may devote our whole strength to doing the right. Save us from all pretense of goodness and from trying to appear better than we really are.

Grant us the guidance of Thy Spirit so that Thy will may be done and Thy people benefitted; through Jesus Christ our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday and Tuesday, April 27 and 28, 1953? If not, and without objection, the Journals are approved.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour for the purpose of holding Republican and Democratic Caucuses. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order. The SPEAKER (Charles C. Smith) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. COOPER. HOUSE BILL No. 1224.

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating special funds in the custody of the State Treasurer; and prescribing penalties, by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions, for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

Referred to the Committee on Workmen's Compensation.

By Mr. COOPER. HOUSE BILL No. 1225.

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

Referred to the Committee on Workmen's Compensation.

By Messrs. WILLIAMS and OLSEN. HOUSE BILL No. 1226.

An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution.

Referred to the Committee on Elections and Apportionment.

By Mr. MOODY. HOUSE BILL No. 1227

An Act making an appropriation from the Motor License Fund, to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection, construction or reconstruction and equipment of an office building thereon for the use of the Bureaus of Motor Vehicles and Highway Safety.

Referred to the Committee on State Government.

By Mr. MOODY. HOUSE BILL No. 1228.

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania removing the limitation on the use of the proceeds of certain excise taxes.

Referred to the Committee on Ways and Means.

By Mr. DUNN. HOUSE BILL No. 1229.

An Act to add Section 328 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-two (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to picket or parade in or near any

building housing a prison or jail of the Commonwealth of Pennsylvania, or of any of its political subdivisions, or to use any sound-truck or similar device, or to resort to any other demonstration with the intent to interfere, obstruct or impede the administration of justice; and prescribing penalties.

Referred to the Committee on Law and Order.

By Mr. KENT. HOUSE BILL No. 1230.

An Act to further amend paragraph (e) of Section 1 of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of suivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located herein, to transfer the stock of such corporations or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by imposing duties on surviving parties and banks and other institutions or depositories of joint accounts or accounts in trust.

Referred to the Committee on Ways and Means.

By Mr. STRAUSSER. HOUSE BILL No. 1231.

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees, to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by prohibiting the transfer of licenses from person to person in municipalities where the quota of licenses has been exceeded.

Referred to the Committee on Liquor Control.

By Messrs. LEDERER, SUCHER, and WILLAREDT. HOUSE BILL No. 1232.

An Act to further amend Section 1214 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescrbed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townshps, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the dispositon of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation, and providing for refunds," by requiring eye examination reports be filed by operators involved in accidents resulting in death to any person.

Referred to the Committee on Motor Vehicles.

By Mr. BEAR. HOUSE BILL No. 1233.

An Act requiring certain operators of motor vehicle parking lots to deposit bonds with the Secretary of Reveneu; and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. STIMMEL, GREENWOOD, YOUNG and GUTHRIE. HOUSE BILL No. 1234.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L.905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, includngi liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that rcords are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for suspension of operators' licenses and learner's permits by the Secretary of Revenue on a point system based on offenses and violations.

Referred to the Committee on Motor Vehicles.

By Mr. MULDOWNEY. HOUSE BILL No. 1235.

An Act to further amend Section 10 of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by changing the count and providing that if a boxer is knocked down three times in one round, the fight shall be stopped.

Referred to the Committee on Law and Order.

By Messrs. SUCHER, WILLAREDT and IDE. HOUSE BILL No. 1236.

An Act to further amend Section 751 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the amount of expenditures which may be made

without bids where work is for maintenance or alerations.

Referred to the Committee on Education.

By Messrs. McGEE and HERSCH.

HOUSE BILL No. 1237.

An Act to add Section 699.9 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the manufacture or sale of inflammable paper streamers, unless danger of inflammability is set forth on wrappers of such paper streamers.

Referred to the Committee on Law and Order.

By Messrs. HOCKER and PETROSKY.

HOUSE BILL No. 1238.

An Act to amend clause (19) of Section 493 of the act, approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by removing certain restrictions on distributors' and importing distributors' outside advertisements.

Referred to the Committee on Liquor Control.

By Mr. ANDREWS. HOUSE BILL No. 1239.

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), etnitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by authorizing as part of the State highway system highways to certain public housing projects.

Referred to the Committee on Highways.

By Mr. KENT. HOUSE BILL No. 1240.

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal, gas and oil and the underground storage of gas in underground strata by regulating the location, drilling, reconditioning, and abandoning of oil and gas wells through workable coal seams; providing for the protection of said coal and said wells; providing for the regulation of the underground storage of gas in the vicinity of or under coal mines, providing for the filing of information relating to the underground storage of gas and the operation of coal mines; providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines; imposing duties upon gas storage operators, persons operating coal mines, other persons engaged in operations affecting the mining of coal or the underground storage of gas, and the Department of Mines and Courts of Common Pleas, and prescribing methods for the enforcement of such duties; granting certain corporations the right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; providing for hearings and appeals; and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. KENT. HOUSE BILL No. 1241.

An Act to amend Article II of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative offiifficers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by designating the days on which State employes shall be paid and repealing inconsistent legislation.

Referred to the Committee on State Government.

By Mr. TOMPKINS. HOUSE BILL No. 1242.

An Act to amend Sections 215 and 217 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by regulating employment and compensation of State employes.

Referred to the Committee on State Government.

By Mr. BOLTON. HOUSE BILL No. 1243.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting the amount of reimbursement by the Commonwealth to school districts and vocational school districts.

Referred to the Committee on Education.

By Mr. BOLTON. HOUSE BILL No. 1244.

An Act to further amend the act, approved the eleventh

day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to livestock, poultry, and game birds by dogs, and for live stock killed by, or dying from rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by providing for the payment of a portion of the license fees to municipalities and townships.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. AMARANDO, RICHTER and WILBUR H. HAMILTON. HOUSE BILL No. 1245.

An Act to amend Section 416 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful for any person to carry on or about his person a firearm, slingshot, handy-billy, dirk-knife, razor or any other deadly weapon, or any knife, razor or cutting instrument, the blade of which can be exposed in an automatic way, by switch, push-button, spring mechanism or otherwise.

Refererd to the Committee on Law and Order.

By Messrs. AMARANDO, RICHTER and WILBUR H. HAMILTON. HOUSE BILL No. 1246.

An Act to add Section 419 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to sell or dispense knives, etc., commonly called "switch-blades".

Referred to the Committee on Law and Order.

By Mr. KERLIN. HOUSE BILL No. 1247.

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees, to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by prohibiting the transfer of licenses from person to person in municipalities where the quota of licenses has been filled.

Referred to the Committee on Liquor Control.

By Mr. KERLIN. HOUSE BILL No. 1248

An Act to further amend section 39 of the act, approved the twentieth day of June, one thousand nine hundred ninteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for the extension of the Commonwealth's lien on real property for a further period of time.

Referred to the Committee on Ways and Means.

By Mr. KRATZ. HOUSE BILL No. 1249.

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by exempting certain investments from taxation.

Referred to the Committee on Municipal Corporations.

By Messrs. GLICK and RUBIN. HOUSE BILL No. 1250.

An Act to prohibit possession, or sale of explosive substances; and providing penalties.

Referred to the Committee on Law and Order.

By Messrs. GLICK, HARRIS, HERSCH, TAYLOR, PETTIGREW, FLOYD and ALEXANDER. HOUSE BILL No. 1251.

An Act making certain Mondays holidays for employes of the Commonwealth, its agencies and political subdivisions and prohibiting deductions or penalties.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 117.

An Act to amend section 608.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers

mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for physical examinations and certificates signifying passage thereof by school bus drivers and removing exemption of employes of persons or companies subject to jurisdiction of Pennsylvania Public Utility Commission.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 437.

An Act to amend the act, approved the ninth day of May, one thousand nine hundred forty-nine (P. L. 919), entitled "An act designating certain clerks of courts agents of the Commonwealth in the collection and transmission of fines, forfeited recognizances and other forfeitures imposed, lost or forfeited into any court for the use of the Commonwealth; prescribing their powers and duties; fixing their compensation; and providing procedures for transmission and settlement of certain moneys," by extending the provisions thereof to court ordered restitutions.

Referred to the Committee on Judiciary.

SENATE BILL No. 471.

An Act relating to counties of the second class amending revising consolidating and changing the laws relating thereto.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

SENATE BILL No. 479.

An Act to amend section six of the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 393) entitled "An act relating to the admissibility in evidence and the proof of official records, documents and proceedings of the United States Government, and of copies thereof, and extracts therefrom, and certificates in reference thereto," by permitting the receipt in evidence without certification of printed copies of schedules and classifications and tariffs of rates, fares, and charges, and supplements thereto, filed with the Interstate Commerce Commission.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BEAR. (Concurrent) RESOLUTION No. 52.

In the House of Representatives, April 28, 1953.

In order to secure the maximum benefit from the moneys expended for our educational program, and to provide the best program possible with the most efficient administration, therefore be it

Resolved, (if the Senate concurs) That the Joint State Government Commission is hereby directed to make a thorough study of education administration on a local level with particular attention given to the feasibility and wisdom of complete local administration conducted through school districts coterminous with counties, and the abolition of school districts coterminous with other political subdivisions; and be it further

Resolved, That the Joint State Government Commission reports its findings together with its recommendations to the next General Assembly.

Referred to the Committee on Rules.

By Messrs. POLTENSTEIN and TOLL.

RESOLUTION No. 53.

In the House of Representatives, April 28, 1953.

Whereas the Commonwealth of Pennsylvania has a direct economic interest in the final disposition of the Tidelands Oil properties; and

Whereas, Pennsylvanians as well as people from all the other states will to a greater extent enjoy the full benefits of public ownership of pubic lands, reserves and wealth by giving to our defense effort first claim and control on any and all minerals and oil contained in these valuable reserves, and

Whereas, to delegate the public domain to the use of states claiming title to said properties, will open a flood gate of demands that eventually will strip the people of the untold billions of dollars worth of minerals, woodlands and other forms of economic and material wealth contained in the public domain for the benefit of the various states, who are singularly blessed by having within the confines of their borders, public property heretofore considered to be part of the public weath, therefore be it

Resolved (if the House of Representatives concur), that this General Assembly does herewith memorialize the Federal Congress to maintain the integrity of the Supreme Court decision by refusing to pass legislation that will deprive the people of the Commonwealth of their inherent wealth and defeat any measure presented in Congress that will give to the singular and several states, the Tidelands Oil reserves and, be it further

Resolved, that a copy of this Resolution be transmitted to the Speaker of the House of Representatives in Washington, D. C., and to the President of the United States Senate and a copy to the President of the United States.

Referred to the Committee on Rules.

By Messrs. POLTENSTEIN and TOLL.

(Concurrent) RESOLUTION No. 54.

In the House of Representatives, April 28, 1953.

Fort Washington Park is of historic interest to the entire United States, and in order that it be dedicated to the memory of all the brave men who have defended our Nation since its birth; therefore be it

Resolved (if the Senate concurs), That the Governor is hereby authorized to offer Fort Washington Park in Montgomery County to the proper agency of the United States of America for use as a national cemetery and that the Governor report the results of such offer, together with his recommendations, to the next General Assembly.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 47 and 485

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 47, Printer's No. 9, entitled "An Act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both either during the continuance or at the end of their trusts."

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 1, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 485, Printer's No. 68, entitled "An Act to AMEND THE TITLE AND REENACT AND further amend Section 1 of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled 'An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day' by INCORPORATING ALL PAST AMENDMENTS AND authorizing said political subdivisions to appropriate money to certain veterans organizations for expenses of Flag Day."

JOHN S. FINE.

STATE OF MAINE MEMORIAL

RESCINDING VOTE ON RESOLUTION PROPOSING AMENDMENT TO CONSTITUTION OF UNITED STATES RELATIVE TO TAXES ON INCOMES, INHERITANCES AND GIFTS

The SPEAKER laid before the House a Memorial of the State of Maine being a Joint Resolution rescinding the Vote taken by its 90th Legislature on the Resolution passed and adopted by its Senate and House of Representatives proposing an Amendment to the Constitution of the United States relative to taxes on Incomes, Inheritance and Gifts.

Referred to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. FERSTER, from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting, transporting, cooking and feeding garbage to swine; providing for the licensing of such business and cancelation of such licensing; authorizing the Department of Agriculture to promulgate rules and regulations therefor; imposing certain duties upon said department; and providing penalties.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 80, entitled:

An Act to further amend subsection (1) of Section 4 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 91, entitled:

An Act to amend subsection (b) of Section 1 and Sections 2 and 4 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1401), entitled "An act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by further defining employer, providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 344, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the registration fee of certain motor buses and motor omnibuses and prohibiting the use of metal or solid rubber or cushion rubber tires on such vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 555, entitled:

An Act to add Section 650.1 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting publications devoted to fictional deeds of crimes bloodshed lust or immorality which tend to incite minors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 573, entitled:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 574, entitled:

An Act to amend Section 201 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by further defining real estate to be valued and assessed for taxation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 581, entitled:

An Act to amend Section 3 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permiting any such corporation incorporated prior to one thousand eight hundred seventy-four, to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 591, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing requirements and penalties concerning lamps, illuminating devices and reflective materials.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 601, entitled:

An Act to amend sction 200 of the act, approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by giving the Pennsylvania Fish Commission power to use any method or means of fish eradication for the purpose of fish management and control.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 664, entitled:

An Act to further amend Section 13 of the act approved

the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 692, entitled:

An Act to amend the act approved the eighth day of May one thousand nine hundred seven (P. L. 184 No. 146) entitled "An act to further remove the disability of a wife in testifying in cases where the husband is a party" by making husband competent witness in rebuttal under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 796, entitled:

An Act to amend Section 916 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to injure or break television towers, wires, cables, or to interfere with the electrical signals thereof and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings; and imposing penalties," by requiring magistrates, aldermen and justices of the peace to make monthly settlements with certain political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring supervisors to fix certain compensation of the township secretary, clarifying certain provisions relating to compensation of township auditors, authorizing certain training of policemen at township expense, increasing powers of supervisors to regulate garbage and rubbish, authorizing erection of parking meters and regulation of parking meter charges, providing for township acquisition and control of abandoned cemeteries, regulating the adoption of fire prevention codes, authorizing cooperation with other political subdivisions in promotion of health, authorizing control of disorderly practices, changing taxing powers of townships and the provisions of the act relating to public parks, recreation places and facilities and park and recreation boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 965, entitled:

An Act to add Article XX-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the creation of planning commissions and prescribing their powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 970, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by providing salaries for members of zoning board of adjustment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers; prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health, and providing for payments of expenses by townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1009, entitled:

An Act to amend section 272 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1021, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P.

L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making and appropriation and providing for refunds," by further regulating size and weight of buses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1095, entitled:

An Act to add section seven hundred twenty-three point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a felony for any prisoner to hold a guard, or any other person, as a hostage in a penal institution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act, approved the sevententh day of May, one thousand nine hundred forty-five (P. L. 624), entitled "An act requiring te recorder of deeds of every county, except counties of the second class, to report transfers of property to the commissioners of townships of the first class, by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 43, entitled:

An Act to amend Section 1 of the act, approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by prohibiting the imposition of wage, income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 122, entitled:

An Act to amend the third paragraph of section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 294, entitled:

An Act to further amend subsections (b), (c) and (e) of section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, owns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts, and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 416, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,"

by transferring the powers and duties of the Department of Health, Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 422, entitled:

An Act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this and repealing certain acts" by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 423, entitled:

An Act to amend sections ten, fourteen and fifteen of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616), entitled "An act defining, regulating and providing for the licensing and registration of employment agents, and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties, and repealing existing laws," by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 424, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 425, entitled:

An Act to further amend sections four, five and ten of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 427, entitled:

An Act to amend section five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 428, entitled:

An Act to amend the act, approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," by increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 57, entitled:

An Act to add Section 709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private

and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts with the approval of the court of common pleas to lease unused and unnecessary lands and buildings

The first section was read.

On the question,

Will the House agree to the section?

Mr. ZIEGLER offered the following amendment:

Amend Sec. 1 (Sec. 709), page 2, lines 14, 15 and 16, by striking out "The action of the board hereunder shall be" in line 14 and all of lines 15 and 16.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. ZIEGLER offered the following amendment:

Amend Title, page 1, lines 6 and 7 of title, by striking out "with the approval of the court of Commonpleas."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bil No. 133, entitled:

An Act to further amend section 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employes of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof. and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by fixing and changing the amount of pension payment to beneficiaries.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 330, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and maner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the amounts of payments to beneficiaries.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 780, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 822, entitled:

An Act to amend sections 5 and 6 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by increasing the amount of the contributions to be made by the officers and employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 903, entitled:

An Act to further amend subsection 2 of section 12 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributors by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by granting credit for prior service after retirement for superannuation and providing for the payment thereof.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 904, entitled:

An Act to further amend clause (c) of subsection 5 of section 13, of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the

administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, alowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by increasing the allowances for disability retirement.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 905, enttiled:

An Act to further amend paragraph 6 of section 8 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing beneficiaries who are disability annuitants to change from the one one-hundred sixtieth (1/160) class to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1062, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by renumbering the second Section 1372.1 and by providing for transportation of mentally handicapped children to and from day care training centers provided by the Department of Public Instruction for such children

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act to amend clause (3) of Section 5 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by removing the five-year financial experience requirement as to obligations of authorities constructing public school buildings.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection
Senate Bill No. 9, Printer's No. 16, and
Senate Bill No. 16, Printer's No. 164,
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 21, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection
Senate Bill No. 76, Printer's No. 36,

Senate Bill 207, Printer's No. 65, and
Senate Bill No. 211, Printer's No. 29,
were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection
House Bill No. 908, Printer's No. 168, and
House Bill No. 909, Printer's No. 169,
were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 13 as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2551 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted amended and renumbered Section 2531 by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) and as amended in part by the act approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1262) is hereby further amended to read as follows

Section 2531 Tax Levies Council may by ordinance levy and provide for the collection of the following taxes

1 A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided

2 A tax in addition to the above on all persons and property taxable for county purposes for the payment of interest on bonded indebtedness and for sinking fund requirements for the payment of loans

3 A [poll-tax] residentce tax for general revenue purposes not exceeding five dollars annually on all inhabitants above the age of twenty-one years Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

4 The council of any city may by ordinance in any year levy separate and different rates of taxation for city purposes on all real estate classified as land exclusive of the buildings thereon and on all real estate classified as build ings on land When real estate tax rates are so levied they shall be uniform as to all real estate within each such classification and such rates shall be determined by the requirements of the city budget as approved by council

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schwartz,
Alexander,	Gleason,	Mathews,	Scott,
Amarando,	Glick,	Maxwell,	Seyler,
Andrews,	Goodling,	McCann,	Shoemaker,
Ashton,	Gramlich,	McCormack,	Shotwell,
Auker,	Greenwood,	McCullough,	Smith, W. B.,
Banker,	Guss,	McDermit,	Snider,
Barkdoll,	Gutendorf,	McGee,	Spencer,
Baumunk,	Guthrie,	McInroy,	Stank,
Bazin,	Hall,	McWherter,	Stevenson,
Bear,	Hamilton, R. K.,	Metz,	Stimmel,
Blair,	Hamilton, W. H.,	Mihm,	Stone,
Boles,	Harris,	Mikula,	Stoner,
Bolton,	Haudenshield,	Miller,	Strausser,
Bomberger,	Helm,	Mills,	Sucher,
Boory,	Hersch,	Monroe,	Taylor,
Bower,	Hewitt,	Moody,	Thomas,
Breisch,	Hocker,	Moore,	Thompson,
Breth,	Hoggard,	Moran,	Toll,
Brown,	Ide,	Moscrip,	Tompkins,
Bucchin,	Jenkins,	Muldowney,	Toomey,
Buchanan,	Jim,	Munley,	VanSant,
Bullen,	Johnson,	Murray, J. J.,	Varallo,
Capaho,	Jones, Geo. E.,	Murray, P. G.,	Varner,
Cianfrani,	Jones, Gran'le E.	Musto,	Vaughan,
Cioffi,	Jones, Paul F.,	Naugle,	Verona,
Clapper,	Jones, T. H. W.,	Needham,	Wall,
Cochran,	Jump,	Ogilvie,	Wallace,
Comer,	Kamyk,	Olsen,	Walsh
Connelly,	Keller,	Parlante,	Wargo,
Conner,	Kent,	Peifly,	Waterhouse,
Cooper,	Kerlin,	Peta,	Watkins,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Light,	Richter,	Yeakel,
Filo,	Limper,	Rosen,	Yetzer,
Flack,	Lippincott,	Rovansek,	Young,
Fleischman,	Lopresti,	Royer,	Zeitz,
Floyd,	Lovett,	Rubin,	Ziegler,
Flynn,	Lutty,	Sarraf,	Smith, C. C., Speaker
Frost,	Maguire,	Schmidt,	
Geer,	Mahan,	Schuster,	

NAYS—1

Petrosky,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 38, entitled:

An Act to further amend Section 12 of the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties," by changing the penalties for illegal sale, dispensing or giving away of drugs.

On the question,

Will the House agree to the bill on third reading?

Mr. WEIDNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, next to last line of Title, by inserting after "illegal" "possession."

Amend Sec. 1 (Sec. 12), line 13, by striking out all of said line .

Amend Sec. 1 (Sec. 12), page 3, lines 1 to 11, inclusive, by striking out all of said lines and inserting in lieu thereof

"Section 12. (a) Any person who possesses, sells, dispenses or gives away any drugs in violation of the provisions of this act shall be guilty of a felony; and, upon conviction thereof, shall be sentenced as follows: for a first offense, to pay a fine not exceeding two thousand ($2000) and to undergo imprisonment of not less than two (2) years and not exceeding five (5) years; for a second offense, or if, in case of a first conviction of violation of any provisions of this act, the offender shall previously have been convicted of any violation of the laws of the United States or of any other state, territory or district relating to drugs, to pay a fine not exceeding [four thousand dollars ($4000)] five thousand dollars ($5000) and to undergo imprisonment of not less than five (5) years and not exceeding ten (10) years; and for a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory or district relating to drugs, to pay a fine not exceeding [six thousand dollars ($6000)] seven thousand five hundred dollars ($7500) and to undergo imprisonment of not less than ten (10) years and not exceeding thirty (30) years.

Except in the cose of conviction for a first offense for violation of the provisions of this subsection, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection,

House Bill No. 343, Printer's No. 128,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 352, as follows:

An Act to further amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 6 and 7 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 394) are hereby further amended to read as follows

Section 6 Preliminary Orders Temporary Custody of Children Upon the filing of any petition as above set forth or the commitment of a child by any magistrate alderman or justice of the peace the judge holding the juvenile court shall if after preliminary inquiry he deems the same necessary make all necessary orders for compelling the production of such child and the attendance of parents or other person or persons having the custody or control of the child or with whom the child may be

Pending the final disposition of any case the child shall be subject to the order of the court and may be permitted by the court to remain in the control of his or her parents or the person having him or her in charge or in charge of a probation officer or the child may be placed by the court in the custody of any association or society having for one of its objects the care of dependent delinquent or neglected children or may be ordered by the court to be kept and maintaind in some place provided by the county for such purposes Provided That if such child is sixteen years of age or over and less than eighteen years or age he or she may be confined in any place of detention maintaind and provided for the custody of adults awaiting trial on order of the court if in its opinion the circumstances of the individual case so warrants.

Section 7 Certain Commitments Prohibited Special Rooms for Detention of Children No child under sixteen years of age pending or after hearing before the juvenile court shall be confined in any county jail workhouse police station lockup or other institution in which adults are confined or be placed in any court room during the trial of adults unless his or her presence be required in the prosecution of adults upon order of the judge presiding at the trial of such adult or adults or in any vehicle in company with adults charged with or convicted of crime

The county commissioners in each county or in cooperation with another county or other counties shall provide furnish and heat a separate room or rooms or a suitable building to be used exclusively for the confinement of all children under [sixteen] eighteen years of age who may be in custody awaiting hearing in the juvenile court of the county and shall provide for the maintenance and care of such children while in custody.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,

Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 504, Printer's No. 148,
House Bill No. 705, Printer's No. 149,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 817, Printer's No. 100,
House Bill 818, Printer's No. 101,
House Bill No. 819, Printer's No. 102 and
House Bill No. 889, Printer's No. 136

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 953, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3001 [Right of] Acquisition of Lands and Buildings Townships may separately or jointly by ordinance dedicate and set apart lands not dedicated to other public uses or purposes and may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks [parkways playgrounds playfield gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places and may borrow money and issue bonds for such purpose The provisions of this section shall not authorize the appropriation of private property outside the township limits nor the appropriation of any property belonging to or used as a cemetery or place of public worship or any public or parochial school or other educational or charitable institution or seminary] recreation areas and facilities

Townships may construct and equip new facilities upon such lands and may levy and collect such taxes or special taxes as may be necessary to pay for the same and make appropriations for the construction improvement maintenance care regulation and government of the same All the costs and expenses relative to any such property acquired by two or more townships jointly shall be paid by the respective townships in such proportions as may be agreed upon by the commissioners thereof

Townships may likewise acquire private property within the limits of another township borough or city for the purpose designated in this section if the other township borough or city shall by ordinance signify its consent thereto

Section 2 Sections 3002 3003 3004 3005 3006 3007 and 3008 of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby repealed

Section 3 Sections 3009 3010 3011 3012 3013 and 3014 of the act as reenacted and amended or added by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 3009 [Power to Maintain Park and Recreation Boards] Creation of Recreation Board Townships may improve maintain and regulate [recreation places] public parks recreation areas and facilities and conduct recreation programs

The authority to supervise maintain and regulate [recreation places] parks recreation areas and facilities may be vested in any existing body or board or in a park board or recreation board as the township commissioners may determine The township commissioners may equip operate and maintain the [recreation places] parks recreation areas and facilities as authorized by this act and [may] shall for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

If the township commissioners shall determine that the power to equip operate and maintain parks recreation areas and facilities shall be placed in a recreation board such board shall possess all the powers and be subject to all the responsibilities of the commissioners under this article The recreation board shall with the approval of the commissioners exercise its powers and duties in establishing standards policies qualifications and salary schedules for all classifications of recreation employes Whenever boroughs cities counties townships school districts or any of them wish to develop a cooperative plan of recrea-

:ion service with a township the recreation board shall ;ave the power to adjust the personnel standards policies qualifications and salary schedules as established to meet the terms of a joint operation agreed upon

Section 3010 Composition of Park or Recreation Boards [Appointment and Personnel Of If the township commissioners shall determine that the power to equip operate maintain and regulate recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess al the powers and be subject to all the responsibilities of the township commissioners under this act Such] Park or recreation boards when established shall consist of five or seven persons and when established in a township having a school board two of the members shall be members or appointees of the school board The other members of such boards shall be appointed by the commissioners of such township [except that provision may be made that two of the members of the board may be appointed by the board of school directors of the township] The members of the board shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the [term of one member] terms of not more than two members shall expire annually thereafter Members of such board shall serve without pay [Women shall be eligible for appointment] All persons so appointed shall serve their full terms unless they shall voluntarily resign or be removed by the township commissioners for malfeasance or nonfeasance of duty Vacancies in such board occuring otherwise than by expiration of term shall be filled for the unexpired term in the same maner as original appointments

Section 3011 Organization of Park or Recreation Boards Powers and Duties Delegated to the Board by the Commissioners The members of a park board or recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this article Such [boards] board shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction Its jurisdiction shall include the right to select employe and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to the township commissioners including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met

Section 3012 [Expenses of Operation and] Maintenance and Tax Levy All expenses incurred in the maintenance and operation of such [recreation places] parks recreation areas and facilities established as herein provided shall be payable from the treasury of such township or borough city county or school district as may be provided for by the agreement of the corporate authorities The township commissioners of such township may annually appropriate and cause to be raised by taxation an amount necessary for the purpose of maintaining and operating the parks recreation areas and facilities and programs The township commissioners may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [recreation places] the parks recreation areas and facilities and the programs thereon

Section 3013 [Joint Acquisition and Maintenance of Public Parks Playgrounds Recreation Centers Et Cetra] Joint Ownership and Maintenance Townships may jointly with cities counties boroughs other townships of either class or any combination or number of such units acquire property for operate and maintain any [recreation places] parks public recreation areas and facilities Any school district may join with the township in equipping operating and maintaining [recreation places] parks public recreation areas and facilities and may appropriate money therefor

Section 3014 Issue of Bonds The township may incur indebtedness and may issue general obligation bonds for the purpose of acquiring lands or buildings for [recreation places] parks and recreation areas and the equipment thereof

Section 4 Article XXX of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended by adding after Section 3014 two new sections to read as follows

Section 3015 Plan of Parks Recreation Areas and Facilities Every township shall have a general plan of its parks recreation areas and facilities including those which may have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township All subdivisions of property thereafter made shall conform thereto The location of parks recreation areas and facilities laid out and confirmed by the township commissioners shall not afterwards be altered without the consent of the commissioners and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the township until approved by the township commissioners

No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located park or recreation area after the same shall have been located or ordained by the township commissioners.

Section 3016 Lands for Planned Parks and Recreation Areas to Be Appropriated Within Three Years Whenever any park parkway or recreation area may hereafter be superimposed upon the confirmed plan of the streets parks and recreation areas of any township in the sections not entirely built up by ordinance of the township unless an ordinance actually appropriating the land within the lines of said park parkway or recreation area to public use is duly passed by the township commissioners thereof or the land is acquired by the township commissioners within three years from the passage of the ordinance superimposing the plan upon said land said ordinance superimposing the plan upon the land shall be void and of no effect and the plan shall be automatically removed from the land as if it had never been placed thereon nor shall any plan again be superimposed on the land without an accompanying ordinance condemning it to public use

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schwartz,
Alexander,	Gleason,	Mathews,	Scott,
Amarando,	Glick,	Maxwell,	Seyler,
Andrews,	Goodling,	McCann,	Shoemaker,
Ashton,	Gramlich,	McCormack,	Shotwell,
Auker,	Greenwood,	McCullough,	Smith, W. B.,
Banker,	Guss,	McDermit,	Snider,
Barkdoll,	Gutendorf,	McGee,	Spencer,
Baumunk,	Guthrie,	McInroy,	Stank,
Bazin,	Hall,	McWherter,	Stevenson,
Bear,	Hamilton, R. K.,	Metz,	Stimmel,
Blair,	Hamilton, W. H.,	Mihm,	Stone,
Boies,	Harris,	Mikula,	Stoner,
Bolton,	Haudenshield,	Miller,	Strausser,
Bomberger,	Helm,	Mills,	Sucher,
Boory,	Hersch,	Monroe,	Taylor,
Bower,	Hewitt,	Moody,	Thomas,
Breisch,	Hocker,	Moore,	Thompson,
Breth,	Hoggard,	Moran,	Toll,
Brown,	Ide,	Moscrip,	Tompkins,
Bucchin,	Jenkins,	Muldowney,	Toomey,
Buchanan,	Jim,	Munley,	VanSant,
Bullen,	Johnson,	Murray, J. J.,	Varallo,

Capano,	Jones, Geo. E.,	Murray, P. G.,	Varner,
Cianfrani,	Jones, Gran'le E.	Musto,	Vaughan,
Cioffi,	Jones, Paul F.,	Naugle,	Verona,
Clapper,	Jones, T. H. W.,	Needham,	Wall,
Cochran,	Jump,	Ogilvie,	Wallace,
Comer,	Kamyk,	Olsen,	Walsh,
Connelly,	Keller,	Parlante,	Wargo,
Conner,	Kent,	Peifly,	Waterhouse,
Cooper,	Kerlin,	Peta,	Watkins,
Coyle,	Kline,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Light,	Richter,	Yeakel,
Filo,	Limper,	Rosen,	Yetzer,
Flack,	Lippincott,	Rovansek,	Young,
Fleischman,	Lopresti,	Royer,	Zeitz,
Floyd,	Lovett,	Rubin,	Ziegler,
Flynn,	Lutty,	Sarraf,	Smith, C. C.,
Frost,	Maguire,	Schmidt,	Speaker
Geer,	Mahan,	Schuster,	

NAYS—1

Petrosky,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Martin, on no. 11, May 4.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1077, as follows:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding at the end thereof a new section to read as follows

Section 1110 Crime With Minor Under Eighteen as Accomplices Principal or Accessory Whoever being of the age of twenty-one years and upwards after having been convicted of the crime or attempt to commit the crime of treason murder voluntary manslaughter sodomy burglary entering with intent to steal larceny rape robbery arson mayhem kidnapping sale of narcotics perjury abortion pandering incest or any offense committed or attempted to be committed through the instrumentality of or with the aid of a deadly weapon or gunpowder or other explosive substances or corrosive fluid wherein a minor child under the age of eighteen (18) years is involved as a principle or as an accomplice or as accessory before or after the fact or as an associate may upon conviction of any of the aforementioned crimes be sentenced to imprisonment for a term the maximum of which shall not be more than twice the longest term otherwise prescribed by law upon a conviction of the crime in question

In all proceedings under the provisions of this section knowledge of the minor's age shall be presumed in the absence of proof of the contrary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as ollows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Oredered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1078, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L.

872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after Section 531 thereof a new section to read as follows

Section 532 Corrupting Morals of Children or Encouraging Children to Commit Crime or Violate Parole Whoever being of the age of twenty-one years and upwards by any act corrupts or tends to corrupt the morals of any child under the age of eighteen years or who aids abets entices or encourages any such child in the commission of any crime or who knowingly assists or encourages such child in violating his or her parole or any order of court is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or undergo imprisonment not exceeding three (3) years or both

A conviction under the provisions of this section may be had whether or not the jurisdiction of any juvenile court has attached or shall thereafter attach to such child or whether or not such child has been adjudicated a delinquent or shall thereafter be adjudicated a delinquent

In trials and hearing upon charges of violating the provisions of this section knowledge of the minor's age and of the court's orders and decrees concerning such minor shall be presumed in the absence of proof to the contrary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmatice.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

Mr. SCHWARTZ offered a resolution which was filed with the Clerk.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. LOVETT asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

COMMITTEE MEETINGS

CITIES—THIRD CLASS—Mr. Mikula, Chairman, Room 521, Tuesday, May 5, at 10:00 a. m. DST.

ELECTIONS and APPORTIONMENT—Mr. Weidner, Chairman, Room 329, Tuesday, May 5, at 10:00 a. m. DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Tuesday, May 5, at 11:00 a. m. DST.

LIQUOR CONTROL—Mr. Price, Chairman, Room 325, Tuesday, May 5, at 10:30 a. m. DST.

MILITARY AFFAIRS—Mr. Hocker, Chairman, Room 323, Tuesday, May 5, at 11:00 a. m. DST.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Tuesday, May 5, at 11:00 a. m. DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Tuesday, May 5, at 10:30 a. m. DST.

There will be a meeting of Allegheny County Republicans and Democrats, Tuesday, May 5, 1953, at 12:00 Noon, DST, in the Democratic Caucus Room.

ADJOURNMENT

Mr. DOWNS. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 5, 1953 at 12:00 Noon EST.

The motion was agreed to, and (at 5:31 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, MAY 5, 1953. No. 35.

SENATE

TUESDAY, May 5, 1953.

The Senate met at 12:00 o'clock m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. L. HERDMAN HARRIS, III, Rector of St. James Memorial Church, Titusville, offered the following prayer:

Let us pray.

Almighty God, Who hast given us this good land for our heritage and this Commonwealth for our particular place of habitation, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will.

Bless our Commonwealth with favorable industry, sound learning and pure manners. Save us from violence, discord and confusion, from pride and arrogancy, and from every evil way. Defend our liberties and fashion into one united people the multitudes brought together here of many kindreds and tongues.

Imbue with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that there may be justice and peace in their jurisdictions, and that through obedience to Thy law we may show forth Thy praise among the States of this Nation.

In the time of prosperity, fill our hearts with thankfulness and in the day of trouble, suffer not our trust in Thee to fail, all of which we ask through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. KEPHART, because of important personal business.

He also asked and obtained leave of absence for Mr. SNOWDEN, due to serious illness in the family.

Mr. LANE asked and obtained leave of absence for Mr. BANE, for today's Session, due to serious illness in the family.

Mr. WATKINS asked and obtained leave of absence for Mr. WATSON, because of pressing business.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to advise the Members of the Senate that the official picture taken of the Senate within the past week or ten days is on display in the Post Office Room, just outside the Senate Chamber, to the left.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 13, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 942) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax

Which was committed to the Committee on Local Government.

House Bill No. 352, entitled:

An Act to further amend the act approved the second day of June on thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age.

Which was committed to the Committee on Judiciary General.

House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisioins thereof relating to public parks playgrounds

and other recreation places and facilities and park and recreation boards

Which was committed to the Committee on Local Government.

House Bill No. 1077, entitled:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

Which was committed to the Committee on Judiciary General.

House Bill No. 1078, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties.

Which was committed to the Committee on Judiciary General.

STUDENTS OF CORNWALL HIGH SCHOOL PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of the members of the student body of the Cornwall High School, of Lebanon County, who are the guests of Senator Diehm. They are here under the direction of Mr. Paul Boltz.

Will they please rise in place and take a bow?

REPORTS FROM COMMITTEES

Mr. PEELOR, from the Committee on Mines and Mining reported as amended Senate Bill No. 312, entitled:

An Act to further amend the act aproved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or trip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for apeals, and imposing penalties, and making appropriations," by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

He also, from the Committee on Mines and Mining reported as committed Senate Bill No. 402, entitled:

An Act relating to agreements, leases and other instruments granting anthracite rights, made or joined in by political subdivisions; providing for approval by the Secretary of Mines under certain conditions and rendering them otherwise void; providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions or of a taxpayer of such.

Mr. YOSKO, from the Committee on Local Government reported as amended Senate Bill No. 61, entitled:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions, societies, and association caring for dependent, neglected, or delinquent children, for the making of nominations of appointment thereto, and for the duties of such board.

Mr. HARNEY, from the Committee on Local Government, reported as amended Senate Bill No. 535, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the liens of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divesticure by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor, creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commisioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims, giving of notice, claims becoming absolute, filing of exceptions and the holding of sales.

He also, from the Committee on Local Government reported as committeed House Bill No. 333, entitled:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement

He also, from the Committee on Local Government reported as committed House Bill No. 334, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

He also, from the Committee on Local Government reported as committed House Bill No. 335, entitled:

An Act to amend the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing for and regulating withdrawal of payments from the police pension funds in cities of the first class

He also, from the Committee on Local Government, reported as committed House Bill No. 383, entitled:

An Act to further amend the act aproved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon.

He also, from the Committee on Local Government, reported as committed House Bill No. 384, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the imposition of taxes under the provisions of said act the limitations thereon and the publication and filing of notices relative thereto.

He also, from the Committee on Local Government, reported as committed House Bill No. 708, entitled:

An Act relating to and regulating the contracts of incorporated towns and providing penalties.

He also, from the Committee on Local Government, reported as committed House Bill No. 709, entitled:

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council.

Mr. WAGNER, from the Committee on Education, reported as committed Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States.

Mr. LETZLER, from the Committee on Education, reported as committed Senate Bill No. 289, entitled:

An Act to further amend Section 202, to add Section 418.1 and to further amend Section 1310 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act aproviding for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or auhorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Practical Nurse Examiners as a departmental administrative board in the Department of Public Instruction.

He also, from the Committee on Education, reported as committed Senate Bill No. 290, entitled:

An Act providing for and regulating the licensing and practice of practical nursing, and imposing penalties.

STUDENTS FROM UPPER MORELAND TOWNSHIP HIGH SCHOOL, MONTGOMERY COUNTY, PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of ninety members of the student body of the ninth grade class of Upper Moreland Township High School, Montgomery County. They are accompanied by the Superintendent of Schools, Mr. Elmer A. Lissfelt, Mr. Berlanda, Mrs. Crowley, Mrs. Snyder and Mrs. Dejong.

Will they please rise in place and take a bow?

BILLS INTRODUCED AND REFERRED

Mr. McCUSKER read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act to further amend Section 4 of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further regulating credit union organizations.

Which was committed to the Committee on Banking.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act to further amend Section 603 of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing that appointees during probationary period may not be removed until after the first six months.

Which was committed to the Committee on State Government.

PETITIONS AND REMONSTRANCES

Mr. YOSKO. Mr. President, I received a letter this morning from the Pennsylvania State Chamber of Commerce which, in my opinion, is worthy to be inserted in the record. I shall, therefore, read it:

"To the Members of the General Assembly:"

This letter is dated May 4, 1953.

"The Pennsylvania State Chamber of Commerce for many years has been deeply concerned with the ever-increasing cost of government. It believes that a positive approach to reduce those costs—whether by economies effected through reorganization, elimination of overlapping and duplication, or by more efficient procedure—is definitely in order.

"The State Government Survey (Chesterman) Committee report, made available to you in February, suggests many opportunities to effect economies in the administration of the Commonwealth's affairs. The State Chamber, in the belief that the findings and recommendations of the Chesterman Committee deserve serious consideration by all concerned, has been reviewing the report with a constructively critical eye.

"Our study committees have been primarily concerned, to date, with the following subjects of that report:

"1. Public Education
"2. Public Assistance
"3. Health-Welfare-Public Assistance
"4. Labor and Industry
"5. Accounting
"6. Personnel
"7. Procurement
"8. Records Administration

"Beginning shortly, we plan to send to the appropriate legislative committees our views on those recommendations which relate to the above topics, and on any pertinent bills now pending.

"The State Chamber of Commerce is aware that some of the major recommendations in regard to reorganization will require constitutional amendment. However, many excellent suggestions have been presented which can be carried out by legislative act or administrative order. The State Chamber of Commerce respectfully urges that attention be given, as soon as possible, to all worthwhile and workable recommendations of the Chesterman Committee which will have the effect of providing improved governmental functions and services at the least possible cost, consistent with modern standards of sound government administration.

"Sincerely
"(s) Leonard P. Fox
"Executive Director"

Mr. President, it seems to me that every organization in Pennsylvania, not only the Chamber of Commerce but the Pennsylvania Economy League, the Pennsylvania Manufacturers' Association and others interested in economy in government and the reduction of budgets and taxes, should take an interest in the problem that now confronts the General Assembly.

Mr. President, a short time ago I received a letter from the Chamber of Commerce suggesting that we support a sales tax and, in reply to that letter, I suggested to the Chamber of Commerce that instead of suggesting taxes, it should first suggest that the Legislature effect every possible economy before we go into the budget or the tax program. The letter which I just read, I am assuming, is perhaps a follow-up to that suggestion. The Chamber of Commerce comes with its suggestion a little bit late. However, I want to say to it, "Better late than never."

Mr. MAHANY. Mr. President, I am pleased to note that Senator Yosko is paying attention to the mail he receives from the Pennsylvania State Chamber of Commerce. It is certainly gratifying to know that at last they are reaching his heart.

Mr. President, I want to agree with him to this extent, they are late. This letter, dated May 4, 1953, from Leonard P. Fox, Pennsylvania State Chamber of Commerce, should have been dated about February 4, 1953. All this letter says is that they are studying the Chesterman Committee Report, and then it divides it into the eight sections into which the Chesterman Committee Report, or Government Survey Committee Report, is divided into in the index to that report.

Certainly, Mr. President, the Pennsylvania State Chamber of Commerce knows that as soon as we received the Government Survey Committee Report, we, in the Senate, and the Members of the House as well, decided to give it the utmost consideration and study. We went into hearings, public hearings, in connection with the recommendations of this committee.

Mr. President, at one of these hearings, which was a hearing upon the recommendation of the Government Survey Committee to abolish the Department of Commerce, the various Chambers of Commerce throughout the State were given an opportunity of being here, and many of them were represented, and I had thought that the Pennsylvania State Chamber of Commerce was here. That certainly was one recommendation which was made by the Chesterman Committee that the State Chamber of Commerce did not go along with, because they were all here and all of them pretty much stated that they did not believe the Department of Commerce of the State of Pennsylvania should be abolished.

Mr. President, as you know, we later introduced bills which would implement the recommendations of the Government Survey Committee Report, and among those was the bill to abolish the Department of Commerce. In spite of the opposition of the Chambers of Commerce throughout the State of Pennsylvania to that legislation, that bill passed the Senate and is now before the House of Representatives.

Mr. President, I do not see how anyone, any Member of this Senate or anybody else, could say that we have not given this report the utmost study and consideration. I do not suppose there has been any report of any commission in the history of Pennsylvania which has received more time of the Legislature than this one has. How anyone can get up here, who knows the throes which we went through in connection with this study, and say that this is correct and we have not given it sufficient time, I just do not know how they can do that, Mr. President. Those who are here seated know that we have given it every consideration possible. We are still working on it; we have not thrown it out the window. We have before us now, even, several bills which implement this report and we are now acting on them.

Mr. President, if Mr. Fox, or anybody else in connection with the Pennsylvania State Chamber of Commerce, would like to come here and confer with us, either as individuals or severally, in connection with this matter or any other matter, they are perfectly welcome to do so.

Mr. HALUSKA. Mr. President, we are now going into the fifth month of our Session and I, first of all, want to state that I am not angry with anyone; that I respect all my colleagues on this floor, on both sides of the Senate, but I am beginning to believe that my colleague from Cumberland last week brought a point out which may have some merit, when he asked that we have a meeting of minds and try to arrive at some type of a program to expedite the work of this Session.

Mr. President, take, for instance, yesterday; one bill passed on third reading after five months of so-called hard work. I realize that tax measures originate in the House, and I probably cannot censure anybody in this Chamber.

Mr. President, I also realize that something must be done to break the so-called stalemate. There should be a meeting of minds of Democrats and Republicans in this Chamber to take over the leadership. It is quite apparent that the leadership, which should come out of the Governor's office, is lacking. That leadership should work out some type of a program, give us cold facts, tell us what you must have, do not hide anything, and then have this leadership go to the Governor's office, or to the House, and offer a program.

Mr. President, the House leadership is very weak. I say, with all sincerity, that in all the years in which I have been here, it is the weakest leadership we ever had coming from the Republican side. It is unfortunate that the House leader just does not seem to be able to get any place with his colleagues.

Mr. President, how long do we expect to stay here? Are we going to dillydally around as we have been and find ourselves having four and five o'clock morning Sessions? I will not stand for that. I will protest if we go into Session all night, night after night, when we are hazy. At the same time, we are coming up here one day and checking out the next day. I am told we are going to be in Session tomorrow. I wonder why? Is there one good reason that can be advanced by anybody, as to why we should be in Session tomorrow? We have no reason to be in Session tomorrow, nothing on the program, nothing of any importance.

Mr. President, I hope that we will take heed of the statements made by Senator Wade that there should be a meeting of minds today, tomorrow or next week. I am sure the Democrats are willing to sit down with the Republicans and offer their talent, their ability, and pass it onto those who are responsible in the House and try to work out some type of a program, bring it before us for a decision and then adjourn the Session sine die.

Mr. LANE. Mr. President, while we are discussing the Chesterman Committee Reports, I have been looking over our Calendar and I notice that we have before us Senate Bill No. 517, which will abolish the Tax Equalization Board. I am wondering just what the objectives are back of this piece of legislation.

Mr. President, I know that each and every Member of the Senate has this copy on their desk. I know that this Tax Equalization Board, in my opinion, has done a good job for the political subdivisions throughout the Commonwealth, and I am wondering, Mr. President, if this is an effort to get Jack O'Neil.

Mr. President, I say to you here this afternoon that, regardless of political affiliation, I feel that man is a very able man. He has done a good job in Pennsylvania, and just because he participated with the Chesterman Committee is no valid reason why this legislation should be passed.

Mr. President, if someone can prove to me that the Tax Equalization Board is not necessary in Pennsylvania, then I will vote for this bill. Otherwise, I will not.

Mr. MAHANY. Mr. President, I want to get in an answer to Senator Lane's statement before something else is said. I do believe I can say this, that Senate Bill No. 517, which abolishes the Tax Equalization Board, certainly was not aimed at Mr. O'Neil, or Mr. Kress, or anyone else in connection with the Tax Equalization Board.

Mr. President, I noticed in the Sunday paper, the Pittsburgh Sunday paper, that there was an article which inferred that this was the purpose behind this legislation and, perhaps, that is where Senator Lane got his information. However, I want to assure Senator Lane and all the other Senators, and everybody else, that this is no attempt on the part of anybody to spank Mr. O'Neil or anybody else for having anything to do with the Chesterman Committee.

Mr. President, at the Appropriation Hearing yesterday the Tax Equalization Board was present, and I regret very much that Senator Lane was not there, as I believe if he were, he would have learned many things, and he probably would not have made the statement that he just now made. I am not going to go into all of that, but I say this, Mr. President, that the Tax Equalization Board now is in the budget for $500,000, and they state they need all of that money to do their work. The head of the Department of Internal Affairs has stated that he can do this same job just as well, if not better, for $200,000. There is only an appropriation in this bill, if the Board is abolished and transferred over to the Department of Internal Affairs, of $300,000 to do the work. Certainly, if this bill goes through, we are going to save at least $200,000, and perhaps more.

Mr. President, these fellows on the other side are always talking about economy and all those things, and saying that we should cut down the budget. Now, here is a definite attempt to do just that. We are cutting down the amount that is necessary for this work from

$500,000 to $300,000, which makes a saving of $200,000.

Mr. President, certainly you cannot make savings unless you start cutting the budget some place, and every time we start to cut it some place, somebody on the other side comes up with the idea that we are doing it to spank somebody, or we are not being bona fide about it or some other reason. The Senators on this side of the aisle are striving to do everything we can to economize in State Government, and we mean to keep on doing that until we get to a point where the amount that it takes to run the State will equal the amount we will take in through taxes.

When they criticize the leadership of the House, Mr. President, I do not think they know what they are talking about. They only have about 109 Republican Members over there, and with one Republican deceased, two in the hospital, that brings it down to 106. I understand they have 100 or more for this certain tax measure, and if it were passed we could get it over here, and get it through, and we would be out of here.

Now, Mr. President, if Senator Haluska would like to do something really good to assist in helping us to get out of here and clear up this situation, he might go over and talk with some of his colleagues in the House and then, perhaps, we will get finished. If he wishes to do that, that might help over there a little bit.

Mr. President, I just want to say that I think we should compliment the Leadership of the House for having garnered so many faithful to the fold, instead of criticizing them for what they have done.

Mr. HALUSKA. Mr. President, I think I made myself very clear and explicit a few weeks ago when I rose in place and offered the Majority Party a tax program. Not too often do you find anyone from the Minority Party willing to cooperate in a tax program.

Mr. President, I stated then, and state now, that when I vote for appropriations I have a feeling of responsibility, and I shall vote for taxation to meet that appropriation. I do not believe in give-away programs, such as we have taking place in Washington right now, the big deal. I believe in equalizing. If I vote for a tax measure, I am ready to vote for an appropriation bill.

So, what did I offer, Mr. President? I made it very clear, and I shall repeat my offer, that I cannot, by any stretch of my imagination, vote for a sales tax. If a man has an ill, he should have a cure. I said that I would vote for an increase in the cigarette tax. I pointed out very clearly that we cannot put another cent on cigarettes. The price must be up to the retailer. Back in my community, I walked into a chain store and I pay twenty-one cents for a package of cigarettes. I walk across the street to a vending machine, and I pay a quarter. Who makes the four cents? One more cent added to cigarettes and they will still be a quarter.

I stated, Mr. President, and I repeat, that a number of years ago I fought hard when they tried to impose a pop tax upon the public. I voted against it. A wise man will change his mind, but a fool never will. I hope to be wise. Knowing that you are in a dilemma, that you must have taxes, I shall vote for a pop tax. There is no five cent package. Back in my community, and I suppose it is the same all around. it is ten cents, nine cents, and in the clubs fifteen cents. A two cent tax on a bottle of soft drink, and it will still be ten cents.

Mr. President, those two items alone, according to my figures, will give you $85,000.000. Do you need more? If you do, what is wrong with taxing the cigar? Why should they be so sacred? Who do we fear? In all the years, we have taxed every item, but tobacco is free. I will vote for a tax on cigars, smoking tobacco and chewing tobacco.

We all dislike taxes, Mr. President, but we must meet the issue of today. I will vote for a pop tax, I will vote for a cigarette tax, I will vote for a cigar tax and I will vote for all the taxes that we passed in 1951. What more can a man do but offer his help? We are not trying to offer any criticism, Mr. President. We are trying to be helpful. That is why I agree with the words of the gentleman from Cumberland County when he said, "Let us have a meeting of minds; let us sit down." There are no secrets in my program, it is out in the open. I say to you that before the Session is over, eight chances out of ten you will adopt that program and go home.

Mr. President, I do not think we can go on taxing industry much longer. We are now losing industry. I think industry should have a breathing spell. If the Republicarn Party fears to put on the C. N. I., well, we have always gone along with them on that. I say to you, Mr. President, industry must get a breathing spell. They cannot absorb any more taxes. In your own words, they are carrying a great burden now.

Mr. President, we can balance our budget with the program that I mentioned, or a similar program, without thinking of an income tax or without thinking of a sales tax. If you are headstrong, as you have been, you want to have your own way, you want a certain tax, I say again you have a majority in the House and Senate to pass it, but, thank goodness, you have in your group men who are independent, men who have the courage of their convictions, and they will go down in history as men of courage. They have proven that all the Republicans do not belitve in a viciius tax. I compliment those Republicans who stood by in 1951, the eleven or twelve rebels, who refused to vote for an income tax. To me, they will always be my heroes. They have kept a vicious tax from being imposed upon the Pennsylvania public.

Mr. President, I have no knowledge of how the gentlemen feel on the Majority side as to the sales tax. Again, I say, I compliment those Members of the House who have the courage of their convictions, who know you cannot buy us, you cannot bribe us and you cannot force us. We do not believe in a sales tax. That is what makes America great, men who do not follow party lines on every occasion.

Mr. President, since it is quite apparent that you do not have sufficient votes to pass your pet measure, why do you not sit down and have a meeting of minds and say, "What can we pass? What will you fellows go along with? You have a responsibility as the Minority Party." We admit that, but up until this present hour, you have taken the bull by the horns, so to speak, and have ignored us entirely. You do not care how we feel. You have no respect for uor wishes. You want your own program put through. You will not get a vote of ours on the sales tax. That is final.

Mr. President, I have offered another program, and I have no assurance that the Democrats will go along with that program. I am not speaking for the Democratic Party. I am speaking as one individual, because we have not discussed that program. However, I am sure that we cannot pass a program of that nature unless the Republican leadership is willing to sit down and do it quickly and say, "Now, with what will you go along? Here is what we have to offer. We cannot pass it this Session and thereby keep faith with the people back home." We should fulfill our commitments, and do the job as we should.

Mr. LANE. Mr. President, I just want to speak briefly in answer to the remaks of the Majority Leader, by saying that I spoke over here as an indvidual. I believe in economy, yes. I believe in sensible economy. As late as 1947, this administration realized the necessity of establishing a Tax Equalization Board in Pennsylvania. That board, in my opinion, has done a good job.

I say to you, Mr. President, that back of all this I believe is personal animosity. Any sensible man here in the Senate, who would be gullible enough to believe that the Secretary of Internal Affairs can do a $500,000 job for $200,000, is either mistaken or his budget is too large. If the budget of the Tax Equalization Board were out of line, the Committee on Appropriations would most surely have checked it a long, long time ago.

Mr. President, I attended a meeting in Pittsburgh several months ago when the Township Commissioners of Pennsylvania were holding their annual convention. I sat there and head a vicious speech made by the Secretary of Internal Affairs against Jack O'Neil. I stood on this floor and defended the office of the Secretary of Internal Affairs, because I felt they were serving a useful purpose. I say to you here this afternoon that regardless of their differences, I look on the merit of the department, and I say that the Secretary of Internal Affairs cannot do a $500,000 job for $200,000. If that be true, we had better cut his budget.

Mr. HOLLAND. Mr. President, I have been asked to announce, by the newspaper correspondents, that Coca-Cola can still be had in the news room for five cents.

The PRESIDENT. Where is the news room?

BILLS INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING (By request) read in place and presented to the Chair Senate Bill No. 554, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into Senatorial districts as provided by the Constitution; to regulate the election of and terms of office of the present and future elected Senators; and repealing inconsistent laws.

Which was committed to the Committee on Repportionment.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to addres sthe Senate.

Mr. HOLLAND. Mr. President, this resolution is being offered by Senator Wade and myself, at the request of the Commander of the Veterans of Foreign Wars of Pennsylvania.

SENATE CONCURRENT RESOLUTION MEMORIALIZING CONGRESS OF THE UNITED STATES TO CONTINUE POLICY OF PROVIDING MEDICAL AND HOSPITAL CARE FOR VETERANS

Messrs. HOLLAND and WADE offered the following concurrent resolution, which was twice read as follows:

In the Senate, May 5, 1953.

Whereas, Hugh H. Hoke, Commander, Department of Pennsylvania Veterans of Foreign Wars of the United States, brings to the attention of the General Assembly of Pennsylvania attacks in the Congress of the United States upon the government hospital and medical treatment program for veterans as well as payment of compensation, and

Whereas, These attacks were subjected to pointed and categorical criticism by James W. Cothran, Bishopville, South Carolina, Commander-in-Chief, Veterans of Foreign Wars of the United States, and

Whereas, the Commander-in-Chief, Veterans of Foreign Wars of the United States declared that these attacks neglect to present all the facts and thus shamefully cast a shadow of suspicion upon the entire program for providing hospitalization, medical treatment and compensation for disabled veterans, and

Whereas, With the entire United States—yes, the entire United Nations—thrilled over the exchange of sick and wounded prisoners; with the American press, radio and television cooperating to promptly furnish the names of American boys returned from the hell of prison camps and anxious parents, wives and relatives prayerfully watching for the names of their loved ones, yet these attacks daily belabor the program of government care of America's veterans, and

Whereas, With the United States Senate conducting an exhaustive investigation to determine whether our fighting men have enough ammunition to defend themselves with the greatest margin of safety and other investigations solicitous of the welfare of our sons and brothers in deadly combat in Korea it is ill-becoming to cast a shadow of suspicion over the care program for America's disabled veterans and to invite the support of crackpots and cranks who never lose an opportunity to attack the expenditure of money for the care of veterans, and

Whereas, In attacking the hospital and medical program for veterans, a few cases have been cited of well-to-do veterans who have received medical treatment in a Veterans Administration hospital for alleged non-service-connected disabilities, but those few cases are exceptions to the rule and that the great majority of veterans receiving medical treatment at government expense are either service-disabled or unable to pay even a small portion of today's high cost of hospitalization, and,

Whereas, The hospital records of the Veterans Administration as publicly reported by the V. A. Director of Medicine and Surgery indicate that ninety-five percent of

all veteran patients in Veterans Administration hospitals are either service-disabled, tubercular, NP or chronic cases, requiring long period of hospitalization for which they cannot afford to pay. It was further pointed out by the V. A. Medical Director that unless the Federal Government provides the care for those men who have served their country in time of war or national emergency, the states and counties will have to assume the burden or let them die on the streets, and

Whereas, The Veterans Administration, because of inadequate funds, according to their own public reports, has been forced to close down hundreds and hundreds of hospital beds, terminate related personnel and defer providing out-patients treatment to veterans who have service-connected disabilities and who have been approved for treatment. Even now hundreds of tubercular veterans and veterans suffering with mental conditions are walking the streets constituting a menace to their families, friends and the general public because they are unable to obtain hospitalization and medical treatment, therefore be it

Resolved, (if the House of Representatives Concur) That the General Assembly of Pennsylvania hereby memorializes the Congress of the United States to continue this country's historical record and policy of providing medical and hospital care for every veteran suffering from service-connected disabilities, or if not so connected, such veterans are without personal funds for such medical and hospital care, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States; Speaker of the House of Representatives, Joseph W. Martin, Jr.; Senator Edward Martin, Senator James H. Duff, and each member of the Pennsylvania Congressional Delegation.

Mr. HOLLAND. Mr. President, I request immediate consideration of the resolution just read.

Mr. MAHANY. Mr. President, I object to the immediate consideration of the resolution.

MOTION TO SUSPEND RULE 39

Mr. HOLLAND. Mr. President, I move that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. WADE. Mr. President, in voting "no," I wish to explain that I am in favor of immediate consideration of the resolution, but will not vote to discharge a committee or suspend the rule.

PARLIAMENTARY INQUIRY

Mr. HOLLAND. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny, Mr. Holland, will state his question of parliamentary inquiry.

Mr. HOLLAND. Mr. President, are we discharging a committee?

The PRESIDENT. I do not believe the gentleman from Allegheny, Mr. Holland, understood the full statement. The gentleman from Cumberland, Mr. Wade, said he would not vote to discharge a committee or to change a rule. I do not believe the gentleman from Allegheny heard the latter part of that statement.

Mr. HOLLAND. No, I did not.

The PRESIDENT. I think I am correct in quoting the gentleman from Cumberland, Mr. Wade.

Mr. STIEFEL. Mr. President, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

The yeas and nays were required by Mr. HOLLAND and Mr. LANE, and were as follows, viz:

YEAS—10

Barr,	Lane,	McMenamin,	Stiefel,
Haluska,	McCreesh.	Ruth,	Yosko,
Holland,	McGinnis,		

NAYS—27

Berger,	Harney,	McCusker,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Diehm,	Letzler,	Pechan,	Watkins,
Fleming,	Madigan,	Peelor,	Wolfe,
Freed,	Mahany,	Propert,	Wood,
Hare,	Mallery,	Stevenson,	

So the question was determined in the negative.

The PRESIDENT. The resolution is referred to the Committee on Military Affairs and Aeronautics.

SENATE RESOLUTION

CONGRATULATING DUQUESNE SERBIAN BASKETBALL TEAM UPON WINNING NATIONAL CHAMPIONSHIP OF SERBIAN BASKETBALL LEAGUE

Mr. KOPRIVER, JR. offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 5, 1953.

The presence of a National Championship Basketball Team in any city is a rare distinction and an honor. The City of Duquesne is, therefore, justly proud, for the Dupesne Serbian Basketball Team was crowned the National Champion of the Serbian Basketball league in Milwaukee, Wisconsin on March 23, 1953.

The team has had phenomenal success within its league. The club was organized in 1936. Since then it has participated in 12 championship tournaments within the past 17 years. They have won seven second places, and three third place positions and one fourth place position, in addition to the National Championship won by them in 1953.

The success of the team is due to the expert tutelage of Dan Brdar, coupled with the fine sportsmanship, keen competition and love of the game on the part of the members.

The honor bestowed upon the Duequesne Serbian Basketball Team redounds not only upon the city but also upon the Comonwealth and it, in turn, points with pride to the enviable athletic achievements of this fine organization, now therefore be it

Resolved, That the Senate extend to the Duquesne Serbian Basketball Team its heartiest congratulations upon their great victory in the sports field and wish them continued success in the future; and be it further

Resolved, That certified copies of this resolution be transmitted by the Secretary of the Senate, to Nick Belich and Dan Brdar.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, the longer I serve in the Senate, the more convinced I am that it all depends on whose ox is being gored.

Mr. President, the other day we Members of the Senate oted unanimously on a resolution criticizing the Federal uthorities for trying to abolish Indiantown Gap. Here, oday, we are voting on something which means something o the soldiers and members of the Armed Forces in the nited States, and the Majority Party objects. I under- and they objected because the word "crackpot" was sed as a part of the resolution. I say to you, Mr. President, hat was good language to use in their because that bsolutely is the fact. I doubt very much whether the ommittee on Military Affairs and Aeronautics will ever eport out that resolution.

It seems to me, Mr. President, that all of us should think ist a little bit of the veteran, the wounded veteran, who erves his Country, and we should do everything in our ower to assist him. This resolution should have been dopted.

Mr. MAHANY. Mr. President, I am becoming convinced hat we get more foolish in our arguments every day. do not like to characterize another man's argument, ut the Chairman of the Committee on Military Affairs nd Aeronautics certainly should be interested in the eteran. He is none other than General Sam Wolfe. He also a General in addition to being a Senator, and ertainly if anybody is interested in the veterans and heir problems, I believe that General Wolfe would be. f there is anything in this resolution which is in favor f the veterans and can do anything for them, I believe hat Senator Wolf will see that the resolution is re- orted on the floor.

Mr. President, sometimes we can accomplish more by raming our language as we would like to have it be- ome effective to those who receive our message. It was hat thought which prompted me to object to the im- nediate consideration of this resolution.

Mr. President, we criticize Congress, as I recollect some f the wording of that resolution, for inviting crackpots o testify before Congress. Certainly we are not going o get very far with a person or a group if we criticize he manner in which they are doing business.

Mr. President, I often thought that resolutions memorial- zing Congress are not of very much effect anway. I be- eve one time in a former Session, Senator Holland stated hat to be a fact. He said, "I remember when I was in he Congress of the United States, when we received a nemorializing resolution from a State Legislature, we hrew it in the wastepaper basket." Now, he desired mmediate consideration of this resolution. It seems that e breathes hot one year and cold the next. If they are ot worth anything, why is he so anxious that we get down there in a hurry?

I say to you, Mr. President, I am satified that if this esolution has any merit, it can become more effective by aving the Committee on Military Affairs report it out eal soon and we will have an opportunity to vote on it.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent o address the Senate.

Mr. HOLLAND. Mr. President, I have said it was oolish to memorialize Congress, but if the Majority eader read the resolution that was offered thoroughly, e would find that copies are being sent to each Con- gressman, whether Democratic or Republican, in the State of Pennsylvania, and to both Senators. The word "mem- orialize" starts in the beginning, but as far as the resolu- tions is concerned it does not send it to Congress. It sends it to the President of the United States, to Mr. Martin, the Majority Leader of the House, and the two Senators from Pennsylvania, and to the Members of Congress from Pennsylvania.

Mr. President, I have a great deal of respect for Gen- eral Wolfe, as Chairman of the Committee, and I know he has a very fine war record. The man who wrote this resolution was not either Senator Wade or myself. It was written by the Veterans of Foreign Wars of Penn- sylvania. It is the request of the State Commander, in line with the request of the National Commander. It is what the Veterans of Foreign Wars have asked us to do, and anyone knows that in order to be a member of the Veterans of Foreign Wars, you must have seen foreign service; you must have seen some type of action or been bombed in some way. I think these groups know more about the veterans' problems because they are serving the veteran every day, and they have lived a veteran's life.

Mr. President, I do think that today's delay means a lot. I went along yesterday very willingly, because I knew the undesirability of delay on Indiantown Gap, but here we were yesterday and I felt the same way, that here was a place that was needed to train soldiers. With that thinking, all the Members of the Senate went along with that resolution.

Here is a case, Mr. President, that when the Flag waving is over and the boy comes back and needs hos- pitalization, he cannot get it. There are many veterans today in police stations throughout the State who have had mental collapses and who are not able to get into a hospital. I think these delays mean a lot. If it was your son or your brother who was waiting to get into a mental hospital in the veterans' bureau, and he was lying in jail, in the jails of this State, and that was his reward for serving his Country, then I say this should be done immediately.

MOTION FOR RECESS

Mr. HOLLAND. Mr. President, I move for a recess and ask that the Committee on Military Affairs and Aero- nautics have a meeting immediately to consider the resolution.

Mr. LANE. I second the motion, Mr. President.

The PRESIDENT. It has been moved by Senator Hol- land, and seconded by Senator Lane, that the Senate have a recess for the purpose of holding a meeting of the Committee on Military Affairs, for the purpose of con- sidering the resolution just referred to this Committee a few minutes ago.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

Mr. LANE. Mr. President, we have had many resolu- tions submitted here in past Sessions, but, generally speaking, a Democratic resolution such as this would never see the light of day and I do not suppose it will.

Mr. President, it was not long ago that Senator Dent and I sponsored a resolution here memorializing Congress in regard to the big steal.

Mr. MAHANY. Point of order, Mr. President.

The PRESIDENT. The Chair recognizes the Majority Floor Leader.

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. Are we not on the Order of Business of Original Resolutions, Mr. President?

The PRESIDENT. The Chair recalls that there was a request for unanimous consent for the Senator from Washington to make a brief statement.

Mr. MAHANY. Mr. President, I did not hear that.

The PRESIDENT. There was no objection offered, and that is the business we are on at the moment.

Mr. MAHANY. Mr. President, did the Senator ask for unanimous consent?

Mr. LANE. Are you interrogating me?

Mr. MAHANY. Yes.

Mr. LANE. I do not recall; I do not believe I did. I am not exactly sure, but when I got up here—

The PRESIDENT, Now you have the Chair confused. Are you talking about today, yesterday or last week?

The gentleman just now asked for recognition and started to speak. Now there is an objection, and the Chair, of course, feels forced to rule that the objection is well taken.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, several weeks ago Senator Dent and I sponsored a resolution memorializing Congress in regard to the big steal, the big oil steal in the United States, whereby there was legislation in our National Congress which would override the Supreme Court of the United States of America. That resolution was objected to, and it was referred to committee. I have not heard of it since, and I doubt if it will ever see the light of day.

As I said before, Mr. President, it seems to me that regardless of the merit of a resolution, if there is a Democrat's name on it, it does not come out of committee.

Mr. President, I suggest to Senator Holland that he remove his name from that resolution and have another member of the Majority Party place his name on there, and we might get something accomplished.

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. First of all, Mr. President, I wish to correct my colleague from Crawford County when he objected a moment ago to my colleague from Washington County because when he rose in place he failed to ask unanimous consent to speak. He kept right on talking, which is number one.

Number two, Mr. President, I must find fault with both sides of the Senate on such resolutions. While I voted to uphold my colleague from Allgeheny, Senator Holland, I did not believe in what I voted for, because yesterday I objected to a similar resolution.

If my memory serves me correctly, Mr. President, when the Session first convened, we agreed about Senate Rules, that only privileged resolutions shall be acted upon without first going to committee. We now find that rule being violated. Day after day, we have original resolutions coming before this chamber which are not privileged, and I think that all resolutions, unless they are privileged, should first go to committee. Those are the Senate Rules. Why can we not abide by them? Yesterday was a violation, but the gentleman from Schuylkill played upon my heartstrings, and I withdrew my objection. However, in the future, I am going to object to any resolution being voted upon unless you change the Rules of the Senate.

We shall abide by those rules or we shall amend them.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 35, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers.

And said bill having been read at length the third time On the question,

Will the Senate agree to the bill on third reading?

Mr. McCREESH. Mr. President, about three weeks ago there was a Committee on Banking meeting held on Senate Bill No. 35. It was agreed at that time that we invite the bankers to come in from the Philadelphia Savings Fund Society and tell us something about Senate Bill No. 35. A few days ago, there was another meeting held and the bill got out on the floor.

Mr. President, I am not so sure about Senate Bill No. 35, because it gives the right to the banks, the saving deposits, to go out and invest money. That is something new. I thought the banks were doing all right, since they were closed some years ago and that now they were doing all right. It seems to me that this bill will give the bankers a chance to run wild and invest in anything they see fit.

Mr. President, it seems that I have been advised that I am on the wrong bill.

The PRESIDENT. Well, the Chair commends the Senator. He is alert; he does not intend to let the bill he is against get by without making a few observations.

Mr. YOSKO. Mr. President, I just want to state that I cannot vote for this bill and I will attempt to give a number of reasons.

Mr. President, about two weeks ago, I think, I rose in place and objected to the passage of the bill, because in my opinion it did not have the proper safeguards. I do not want any Member of the Senate to think that I am opposed to expanding the sources for the investment of

State funds, provided they are accompanied by proper safeguards.

Mr. President, when this bill got on the Calendar, I was reminded of a convention of the National Association of State Auditors, Controllers and Treasurers, of which I am the Executive Director. We had a national convention last year at Phoenix, Arizona, and one of the subjects for discussion was the investment of State funds. Mr. Margetts, Jr., the State Treasurer of New Jersey, delivered a paper on the subject. Mr. Margetts is in Harrisburg today. He happens to be a very personal friend of Mr. Barber and is here to attend the induction ceremonies. I tried to reach him, but he is busy with his friends.

Two weeks ago, Mr. President, when I asked for this bill to go over, I wrote to Mr. Margetts and sent him a copy of Senate Bill No. 35, and asked for his appraisal of it. He gave me a reply which I turned over to the sponsor of the bill. I just want to read what he has to say about it. He said:

"With respect to your Senate Bill 35, obviously the investment powers granted exceed, I believe, the powers granted in most every, if not all, states. The prudent man rule on corporate bonds is very broad. As you will note in New Jersey, we are limited to investments legal for savings banks. In any prudent man form of legal restriction, the original risk selection must be undertaken professionally and secondly, supervision of such purchases is of equal, if not paramount, consideration, for which apparently no provision is made in your Senate Bill 35.

"Nowhere in the Bill does there appear a specific provision such as we have for the employment of the Director and staff who shall be qualified by training and experience to direct the program of investment. Nowhere in your Bill do I find provision for publication of the transactions had with respect to such a program. From my experience, it is absolutely essential to have full and complete publication with respect to all transactions, whether purchases or sales."

Then, Mr. President, he goes on to offer to come to Harrisburg, together with Gordon S. Kerr, the Director of the Division of Investment, and discuss the system they have in the State of New Jersey. New Jersey has a very, I would say, unique setup in so far as the investment of State funds is concerned. It has been in operation for about three years now and is being used as a model by other States. It is a separate unit set up in the State Government, whose only function is the investment of State funds. I understand from its first report that the commission is doing well. It has increased its earnings on investments, and generally has improved the investment policy of the State of New Jersey.

Mr. President, I was not exactly satisfied with Mr. Margetts' statements, and I also wrote to a gentleman who is reputed to be the Dean of the State Treasurers of the entire United States, Charles Johnson, State Treasurer of the State of California. He has been the State Treasurer of California for about twenty-five years. He just made the following note:

"The integrity of the investment authority is of primary importance in the administration of any such law, requiring study and decision on the part of the administrator. In this connection, it would seem that section (i) page 8, does not add anything to the law, but does not detract therefrom. The reasoning for this statement being that probably the respective oaths of office taken by each administrator includes this presumption.

"The problems of investment of public funds are always of great concern throughout the nation. These problems are under study in California, with the thought toward centralization of all investment functions into one agency, such as a Department of Investment, to be directed by an Investment Board."

Mr. President, goes on to say that the University of Cornell is now conducting a survey on the entire problem of investment of State funds.

Mr. President, I also wrote to another State Treasurer, who has been in office for about twenty-five years, the Honorable George B. Hamilton, State Treasurer of Georgia, whose wisdom I respect and whole ability I respect. He made the folloiwng comment:

"When the State invests in such securities"—he is referring to corporate securities—"to properly safeguard the market values of such investments, the State would have to hire a bond expert to constantly check corporation statements and bond markets. You are also opening up a field of corrupt practice whereby a public official with funds to invest might find the opportunity to invest in private corporation securities where he holds an interest and in fact, provides necessary capital to operate his own corporation with tax money and if loss resulted therefrom, I see nothing in the Act to indemnify the State or place responsibility for such loss.

"I think Section 15 providing for the investment of mortgages of individuals on Pennsylvania real estate is particularly vicious and a public official having money to invest could acquire private property in his own name by the use of public monies."

Mr. President, I wrote to one more of the State Treasurers in one of the largest states in the United States, the State of New York. He made some comment on the bill, and I wish to read it for the information of the Senate. He outlines first the types of investments in which the State of New York can participate. He names bonds and notes of the United States, bonds and notes of this State, obligations for the payment of which the faith and credit of the United States, or of this State, are pledged; judgments or awards of the court of claims of this State. Then he goes on to say:

"The Comptroller is responsible for the investment of all New York State funds derived from revenues thru general taxation, bonds of other states or their subdivisions also corporate bonds are not a legal investment for these funds.

"The Comptroller is permitted to invest in bonds of any tax district of the State counties, cities, towns, villages and school districts. However, Section 99 of the State Finance Law permits the Comptroller to withhold public funds in cases of any default in payment of principal or interest.

"There are many other funds in the custody of the state such as Retirement Funds, State Insurance Funds, Reserve Funds of the Insurance Department, where the legislature in creating the fund named the securities which are legal for investment and the broadest provision is 'any security which is legal for a New York Savings

Bank.' However, to the best of my knowledge, no investment in corporate bonds have been made.

"Apparently"—and this is very, very important here—"the New York State Legislature have been more concerned regarding the preservation of the principal amount of the fund instead of the income which might be obtained thru the investment in lower grade securities. In my opinion, this policy is sound."

Mr. President, I call your attention to the fact that funds which the State invests are school employees' funds, they are State employees' funds, they are State Workmen's Insurance Funds, the Agricultural College Law Fund, the State College Extension Farm Fund, the Conrad Weiser Memorial Park and the Pennsylvania Historical Commission, as well as the State School Fund. However, the majority of funds which cannot be invested are the funds of the school employees, the State employees and the Workmen's Insurance Fund. They total about a half billion dollars.

I just do not believe, Mr. President, that we should open the door for every Tom, Dick and Harry to come in and be eligible for investment in State funds, especially trust funds. I have an interest in it because I have a nominal sum in the State Employes' Retirement Fund, and I want to see those funds invested safely. There are some investments included in this bill that are not supported by the full faith and credit of the taxing authority. For that reason, the investments are questionable.

I believe, Mr. President and Members of the Senate, that this matter should be given additional study so that the safeguards and a competent investment council be set up, before we broaden the types of investments which can be used in so far as State moneys are concerned. For the reasons stated, I will not vote for the bill.

Mr. President, I call your attention to the fact that because of a gamble in some investments which have already been made, as of March 31, there has been a default in about a quarter of a million dollars in investments. With the expansion of the types of investments in which the State could participate under this act, this could stretch into millions, and I do not think we should take that chance.

Mr. BERGER. Mr. President and Members of the Senate, I regret exceedingly that I am not the expert on the subject that the gentleman who just spoke purports to be, and probably is.

Mr. President, I do, however, want to call the attention of the Members of the Senate to the fact that I did discuss this rather thoroughly with the gentleman, and I put in certain amendments to the bill myself, which were printed and appeared upon the desks of the Senators. They were not all, but part, of the suggestions that he had made with reference to amending this bill.

Lo and behold, Mr. President, the bill then appeared upon the Calendar as amended, and Senator Dent offers amendments which amend it right back to where it was originally when it came before the Senate.

Mr. President, I am not an expert at all on this particular subject. I am perfectly willing to give the bill all the study which it requires. I do want to say, though, it has appeared upon our Calendar for about a month, and so far I have not seen anybody come forward to offer the amendments which they say will improve the bill.

Mr. President, today I am asking that this bill go over in its order, but when it comes up on the Calendar before a full Senate the next time, I would ask the gentlemen who are so deeply interested to hand me some amendments and we can look them over, and maybe we can get together on it.

BILL OVER IN ORDER

Mr. BERGER. Therefore, Mr. President, I ask unanimous consent that Senate Bill No. 35, on third reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. YOSKO. Mr. President, in my remarks I did not want to say anything about Senator Berger, because I did not want him to think that I was getting personal.

I am sure Senator Berger will admit, Mr. President, that I tried to supply him with all of the data necessary, and I did say to him, and I think we had agreed, that we would sit down and discuss amendments. Then, he called me one day and said, "I have prepared amendments, I am going to put them in." He did this, not with my cooperation or collaboration, because if we would have sat down to prepare these amendments, I would have added a few safeguards to this bill which, at least, wou'd have made it acceptable to me and I am sure to others.

Mr. President, I am still willing to sit down with Senator Berger, or anybody else, to work out amendments to safeguard the funds of school employees, State employees, the Workmen's Insurance Fund and all other funds of the Commonwealth which are available for investment.

Mr. BERGER. Mr. President, I do not wish to imply in any respect that Senator Yosko did not offer me a great deal of information on this subject, and we had some very cooperative discussions on it. I thank the gentleman, and did thank him at the time. I appreciate his assistance.

Mr. President, I am not prepared to say that we would accept all of the amendmehts which Senator Yosko suggests in the bill. I did prepare some amendments which were drawn from the suggestions that he made. Undoubtedly he has others, and quite likely all of the amendments he might suggest would not prove acceptable. After all, the bill has been here a good while and, as I say, one of his colleagues amended it right back to where it originally was when it appeared before the Senate.

Mr. YOSKO. Mr. President, I do not like to rise again, but when Senator Dent saw the amendments which were presented, and he took a look and realized that there were so many authorities that were still included in the bill, and he had a few in which he was interested that were stricken out, he said, "I am going to put them back in." Unler the circumstances, I do not more or less blame him.

Mr. BARR. Mr. President, I am thoroughly convinced that if we vote on this bill today, the bill will fall.

The PRESIDENT. Will the Senator yield? There has been a request made that the bill go over in its order.

Mr. BARR. I know that, Mr. President, and I want to speak on that request. I have a suggestion to make to the sponsor of the bill.

The PRESIDENT. I think the gentleman from Allegheny is requesting something that certainly is in violation of

the rules. How in the world are you going to debate a bill which is not under consideration? Request has been made that the bill go over in its order.

Mr. BARR. Then I will make a statement later, Mr. President.

The PRESIDENT. Senator Berger has requested that Senate Bill No. 35, Printer's No. 171, go over in its order. There being no objection, the bill will go over in its order.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, in regard to Senate Bill No. 35, which has just gone over in its order, I was positive that if the bill were voted upon today that it would fail.

Mr. President, there are many fine features in this bill, and I concur in Senator Yosko's concern that there are not proper safeguards. He has spent considerable time and effort, and had quite a lengthy discussion with the gentlemen who are responsible in the Legislative Reference Bureau for trying to help us out of some of our dilemma, and they had prepared for him a number of amendments which would put the proper safeguards in this bill.

Mr. President, what I was going to attempt to do before the bill went over was to try and get unanimous consent to offer those amendments and then, with a gentleman's agreement in the Senate, if they did not meet with the sponsor's approval entirely after he read the bill with them in, that we would all agree to give unanimous consent to have them stricken out. It is too late for that, but the next time the bill comes up I will leave the amendments with the sponsor, Mr. Berger, and see whether they satisfy him.

STUDENTS OF ALLENTOWN ELEMENTARY SCHOOL PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of the Fourth, Fifth and Sixth grades of the Allentown Elementary School, who are the guests of Senator Freed. They are accompanied by Mr. Frank Fendrick, Mrs. Laurie Keiser and Miss Ruth Knecht.

Will they please rise in place and take a bow?

THIRD READING CALENDAR

BILLS ON THIRD READING AN FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 68, as follows:

An Act to amend the title and to further amend the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" by increasing the maximum loan to six hundred ($600) dollars fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" is hereby amended to read as follows

An Act

Regulating the business of loaning money in sums of [three hundred ($300)] six hundred ($600) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act

Section 2 The first paragraph of section 1 and sections 2 and 6 of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 989) are hereby further amended to read as follows

Section 1 Be it enacted &c That on and after the passage of this act it shall be unlawful for any person persons partnership association or corporation within this Commonwealth to make a loan of money credit goods or things in action in the amount or of the value of [three hundred ($300)] six hundred ($600) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities and charge contract for or receive on any such loan a rate of interest discount fines charges or consideration greater than six percentum (6%) per annum without first obtaining a license from the Secretary of Banking in accordance with the provisions of this act

Section 2 Any person persons copartnership association or corporation who shall obtain a license in accordance with the provisions of section one of this act shall be entitled to loan money in sums of [three hundred ($300)] six hundred ($600) dollars or less either or without security to individuals pressed by lack of funds to meet immediate necessities at his their or its place of business for which said license is issued and to charge the borrowers thereof for its use or loan interest at a rate not to exceed three (3) per centum per month on that part of the unpaid principal balance of any loan not in excess of one hundred fifty ($150) dollars and two (2) per centum per month on that part of the unpaid principal balance of any loan in excess of one hundred fifty ($150) dollars and one (1) per centum per month on any remainder of such unpaid principal balance In the case of loans made upon the security of tangible personal property physical possession of which is taken by the licensee the licensee shall not charge interest at a rate in excess of such rates as are provided for by the act approved the sixth day of April one thousand nine hundred and thirty-seven Number 51 (P. L. 200) for loans of similar character or the rates provided by this act whichever are the lower Provided however That in no event shall the rates charged exceed the rates provided by this act No licensee shall induce or permit any borrower to split up or divide any loan No licensee shall induce or permit any person nor any husband and wife jointly or severally to become obligated directly or contingently or both under more than one contract of loan at the same time for the purpose or with the result of obtaining a higher rate of interest than would otherwise be permitted by this section No fees fines or other charges either in addition to or as a part of the above specified interest shall be charged or collected under any pretext whatsoever

A contract for a loan under the the provisions of this act shall not be made for a period in excess of [eighteen (18)] twenty-four (24) month Interest on any unpaid balances after [eighteen (18)] twenty-four (24) months shall be payable at the rate of six (6%) per centum per

annum Interest shall not be payable in advance or compounded and shall be computed only on unpaid balances for the time that has elapsed at date of payment Whenever a judgment is entered after the enactment of this act following the expiration of contracts made prior to the enactment of this act interest shall be computed at the rate of six (6%) per centum per annum If interest in excess of that hereinbefore prescribed shall be received by any licensee the said licensee shall thereupon lose all his right to collect or receive the interest allowed under this act and shall be entitled to recover from the borrower only the amount actually loaned together with interest at the rate of six per centum per annum upon unpaid balances less any and all amounts already paid by the borrower on account of said loan either as principal or interest Any person borrowing money from any licensee under this act who shall be charged and pay any interest in excess of that prescribed and allowed by the provisions of this act shall be entitled to recover back from the lender by action at law begun at any time within two years from the date of the last payment any and all sums of money so charged and paid in excess of the amount of the original loan together with interest at the rate of six per centum per annum upon unpaid balances up to the date of final payment of said loan and in addition fifty ($50) dollars as a penalty to be paid to the borrower

Section 6 A Every person persons copartnership association or corporation licensed under this act or any partner director officer agent or member thereof who shall violate any provision of this act or shall direct or consent to such violation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine or not more than five hundred ($500) dollars for the first offense and for each subsequent offense a like fine and to suffer imprisonment not to exceed six months or both in the discretion of the court

B Every person persons copartnership association or corporation or any partner director officer agent or member thereof who shall directly or indirectly as principal agent or broker by any device subterfuge or pretense whatsoever charge contract for or receive any interest discount fees fines charges or consideration greater than six per centum (6%) per annum upon the loan use or forbearance of money goods or things in action or upon the loan use or sale of credit of the amount or value of [three hundred ($300)] six hundred ($600) dollars or less without having obtained a license under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred ($500) dollars or more than five thousand ($,5000) dollars or to suffer imprisonment of not less than six (6) months or more than three (3) years or both at the discretion of the court

C No loan of the amount or value of [three hundred ($300)] six hundred ($600) dollars or less for which interest discount fees charges or consideration greater than six per centum (6%) per annum has been charged contracted for or received except as authorized by this act wherever made shall be enforced in this Commonwealth and the borrower shall not be required to pay any principal interest or charges whatsoever This provision shall not apply to loans legally made in any state which then has in effect a regulatory small loan law similar in principle to this act

D The payment of [three hundred ($300)] six hundred ($600) dollars or less in money credit goods or things in action as consideration for any sale or assignment of or order for the payment of wages salary commissions or other compensation for services whether earned or to be earned shall for the purposes of regulation under this act be deemed a loan secured by such assignment and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall for the purpose of regulation under this act be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable Such transactions shall be governed by and subject to the provisions of this act

E The payment of [three hundred ($300)] six hundred ($600) dollars or less in money credit goods or things in action as consideration for any sale of real or personal property which is made on condition or agreement expressed or implied that such property be sold back at a greater price shall for the purpose of this act be deemed to be a loan secured by such property and the amount by which the repurchase price exceeds such original purchase price actually paid shall deemed interest or charges upon such loan from the date such original payment is made until the date such repurchase price is paid Such transaction shall be governed by and subject to the provisions of this act

F When real or personal property is pledged as security on a loan of [three hundred ($300)] six hundred ($600) dollars or less and the lender requires the borrower to pay for insurance thereof or when the lender requires life insurance as security to a loan of [three hundred ($300)] six hundred ($600) dollars or less such charge for insurance shall be construed as interest under this act when the lender has failed to have such insurance written by an insurance company legally authorized to conduct business in Pennsylvania When the amount charged for such insurance is in excess of the standard cost of similar insurance in other insurance companies legally authorized to conduct business in Pennsylvania the excess shall be construed as interest under this act

Section 3 The provisions of this act shall become effective thirty days after final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kessler,	McMenamin,	Toole,
Camiel,	Kopriver, Jr.	McPherson, Jr.	Wade,
Chapman,	Lane,	Miller,	Wagner,
Crowe,	Leader,	Pechan,	Walker,
Dent,	Letzler,	Peelor,	Watkins,
Diehm,	Madigan,	Propert,	Weiner,
DiSilvestro,	Mahany,	Ruth,	Wolfe,
Haluska,	Mallery,	Silvert,	Wood,
Hare,	McCreesh,	Stevenson,	Yosko,

NAYS—2

Fleming,	Freed,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 70, as follows:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts by the school district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any board of school directors has heretofore contracted for labor materials and supplies for the school district the purchase of which by contract is authorized under the provisions of the school laws of the Commonwealth and the board of school directors has

actually received the labor materials and supplies and they are being used by the school district if the contract does not evidence any fraud or conspiracy to violate the provisions of the school laws of the Commonwealth and the school district has not suffered any pecuniary loss as the result of the contract then the contract shall be valid and binding on the school district and payment for the labor materials and supplies by the school district is hereby authorized or if payment has been made it is hereby ratified notwithstanding the fact that the contract was legally void by reason of the failure to advertise for bids or by reason of defect in the advertising or by reason of any other defect in compliance with or in the failure or omission to comply with the school laws of this Commonwealth regulating the award of contracts for labor materials and supplies No board of school directors nor any member thereof shall be surcharged for any payment made on any such contract

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 112, as follows:

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enact as follows

Section 1 Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" as last amended by the act approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1285) is hereby further amended to read as follows

Section 1 Be it enacted &c That the head of the department of public safety or of the department having charge of or supervision over the fire department or bureau in each city of the first second and third class shall from and after the first day of January one thousand nine hundred twenty divide the officers and members of companies of the uniformed fire force in the employ of such cities or in the case of a volunteer fire department the firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs into two shifts bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon In cases of riot serious conflagration or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shifts body or platoon or fourteen hours in the night shift body or platoon excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of riot serious conflagration or other such emergency as above provided Provided however That this act shall not apply to employes who are employed subject to call In any consecutive period of two weeks no member of either of said shifts bodies or platoons in any city of the second class shall be kept on duty for a total period which shall average over [sixty] fifty-five hours in any one week of the consecutive period of two weeks

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, with regard to House Bill No. 112, I want to say to the Members of the Senate that I realize what is going to happen to the bill. It is going to be passed and sent back to the House for its concurrence in the amendments which were put in by the Senate Committee.

My main objection to this bill, Mr. President, is that the bill has no place in the House or Senate of Pennsylvania. This should be a matter of an ordinance before the city council in Pittsburgh and we, in Harrisburg, should not legislate for another legislative body unless we provide the funds.

Mr. President, I remember just last week my friend from Titusville, Mr. Mahany, said that too many people were prone to vote for appropriations and not for the taxes. I want to tell him today that he is being guilty of this nefarious crime, because that is exactly what he is doing.

Mr. President, the problem in this bill should have been presented to the city council of Pittsburgh by the local firemen and officials of their firemen's union. This they did not do. This is not just an idle statement by me; it was brought out at the hearing which was held before the chairman of the committee that had this bill over in the House, Representative Ewing. They did go to city council and ask for an increase in pay, and received a little more of an increase than any other city employee. Then they immediately, a few weeks later,

run up to Harrisburg and immediately get a bill such as this sponsored.

Mr. President, I want to tell the Members on the other side that we have three metropolitan newspapers in the city of Pittsburgh, and each one of them has not only written news stories but has written editorials against this type of legislation.

Mr. President, I could stay here most of the afternoon talking about this bill, but I realize that what I say is not going to change the vote, so I would now suggest that maybe we should call the roll.

Mr. WALKER. Mr. President, I appreciate the comments of my colleague from Allegheny County. Of course, as he suggested, the bill was amended in the Senate, which I think changes the approach of the bill entirely as far as the fiscal problem of the city of Pittsburgh is concerned. The effective date was changed so that it is the first day of January, one thousand nine hundred fifty-four, which will give the city ample opportunity to adjust whatever differences might arise with regard to an increase or a decrease in the budget because of this bill.

There is a distinct difference of opinion, Mr. President, as to how this will affect the city budget, and, of course, those differences can be resolved by the finance committee in city council.

This, Mr. President, is a similar action as was taken in the 1951 Session by the General Assembly with regard to the firemen in cities of the third class. At that time, if my memory serves me correctly, the hours of the firemen in cities of the third class were reduced from fifty-five hours per week to fifty hours per week, and that bill passed the Senate unanimously. In that bill, the effective date was made to operate as of the first day of January, 1952, so that the councils of the cities of the third class could prepare for the matter in their budget. That has been done here, and I think that alleviates most of the problem which would confront the city of Pittsburgh in adjusting their budget.

Therefore, Mr. President, I think that the bill should receive the very favorable consideration of the Senate, and I am going to request that the roll be called.

Mr. WEINER. Mr. President, on behalf of Senator Barr's contention, I believe the problem is a home rule problem. I believe that is where the problem should have been taken, that is where it should have been started and that is where they should alleviate the situation. This problem is akin to all the people who come from home rule areas, such as Philadelphia, where this very problem is also going to be taken up in very short order in this body, because, I understand, bills have been started over in the House which deal with this very problem.

Mr. President, I think that all of us should direct our attention to the fact that if this bill is good for Pittsburgh, or, in turn, later on for Philadelphia, I think it is good for the whole State. I think they should not limit themselves to just legislating on behalf of Pittsburgh or Philadelphia. I think we should legislate for the whole Commonwealth in reducing hours of people who work for a living.

Mr. President, I feel that this bill in the main, or the purport of it, was to embarrass Pittsburgh, because the budget there was closed and they will have to find some way out of this dilemma. Of course, this amendment, as the Senator from Allegheny stated, will alleviate the situation somewhat, but I do not believe it is the answer to the whole problem, which is a local problem. I believe city council—I think I am stating it correctly—is made up mostly of labor people who are conversant with this problem, sympathetic to it, and would have certainly given it their full support had it been brought up there instead of bringing it here to embarrass the administration.

Mr. WALKER. Mr. President, I want to assure the gentleman from Philadelphia that there is no desire on our part to embarrass the incoming Republican administration in the city of Pittsburgh.

Mr. KOPRIVER, JR. Mr. President, there are three third class cities in Allegheny County. The city of Clairton has forty hours a week for their firemen, the city of McKeesports has forty-eight hours a week for them and the city of Duquesne has forty-eight hours a week.

Mr. President, the Minority is always the champion for labor. What happened this time? The story that it is going to cost more money for the city of Pittsburgh is not true. The firemen, themselves, will say that it will not cost any more money. They fight fires differently than they did twenty-five years ago in this day. I know that if there is a will, there is a way.

The truth is, it is politics, Mr. President, on the city of Pittsburgh's part and not on the part of the Senate. If the city of Pittsburgh will not correct it, we have to.

Mr. BARR. Mr. President, I am not trying to legislate for third class cities because I have none in my district. I do remember the bill two years ago, and I remember the Pittsburgh bill two years ago where we cut the hours of our firemen six hours, and I am for cutting them down to forty hours a week, if they can be cut. When you have so much money, you can only go so far. If Senator Kopriver, who happens to be the Mayor of a third class city, can tell us of any new taxes to put on in Pittsburgh next year, the door is wide open down there and we will be glad to hear from him.

Mr. President, another thing he forgot to say in regard to third class cities is that the great majority in this Commonwealth are manned by volunteer firemen. I am quite positive, unless they have changed, and Senator Taylor can tell me if they have changed here, but I think the only paid firemen in the city of Harrisburg are the drivers. The rest are volunteers.

I do know, Mr. President, that the firemen in the city of Duquesne, where Senator Kopriver is from, are on call twenty-four hours a day, and that is not true in the city of Pittsburgh. If he can tell me where we can cut fifty-five hours off a week, and do it with the same type of men, he is the Houdini who has been looked for in every miunicaplity in this State.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Berger,	Harney,	McCusker,	Taylor,
Blass,	Holland,	McGinnis,	Wade,
Chapman,	Kopriver, Jr.	McPherson, Jr.	Wagner,
Diehm,	Lane,	Miller,	Walker,
Fleming,	Letzler,	Pechan,	Watkins,
Freed,	Madigan,	Propert,	Wood,
Haluska,	Mahany,	Ruth,	Yosko,
Hare,	Mallery,	Stevenson,	

NAYS—6

Barr,	McCreesh,	Stiefel,	Weiner,
Kessler,	McMenamin,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 219, as follows:

An Act to further amend section 1169 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by excusing school districts from payment of salary to teachers on sabbatical leave who receive a grant equal to or exceeding their salary payable during the year of leave

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1169 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P. L. 1791) is hereby further amended to read as follows

Section 1169 Salary While on Leave The person on leave of absence shall receive one-half of his or her regular salary [Provided That the employe who is absent on sabbatical leave shall not receive] but not more than two thousand five hundred dollars ($2500) if the employe's absence on sabbatical leave is for a full school year and not more than one thousand two hundred fifty dollars ($1250) if the employe's absence on sabbatical leave is for a half school year as defined in this act A school district may but shall not be required to pay any salary to any person who receives a grant equal to or exceeding the salary payable to such person during the year of leave

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 325, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article IX of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding after subdivision (d) thereof a new subdivision containing eight new sections to read as follows

(e) Nominations to Fill Certain Vacancies

Section 993 Filling of Certain Vacancies in Public Office by Means of Nomination Certificates and Nomination Papers (a) In all cases where a vacancy shall occur for any cause in an elective public office including that of judge of a court of record at a time when such vacancy is required by the provisions of the Constitution or the laws of this Commonwealth to be filled at the ensuing election but at a time when nominations for such office cannot be made under any other provision of this act nominations to fill such vacancies shall be made by political parties in accordance with party rules relating to the filling of vacancies by means of nomination certificates in the form prescribed in section nine hundred ninety-four of this act and by political bodies by means of nomination papers in accordance with the provisions of sections nine hundred fifty-one nine hundred fifty-two and nine hundred fifty-four of this act No such nomination certificate shall nominate any person who has already been nominated by any other political party or by any political body for the same office unless such person is a candidate for the office of judge of a court of record No such nomiantion papers shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the ensuing November election unless such person is a candidate for the office of judge of a court of record

(b) Said nomination certificates and nomination papers for State public offices and judges of courts of records shall be filed in the office of the Secretary of the Commonwealth at least forty-five (45) days prior to a general or municipal election as the case may be Nomination certificates and nomination papers for public offices in counties cities boroughs towns townships wards and school districts and for the offices of aldermen and justices of the peace shall be filed in the office of the county board of elections at least forty-five (45) days prior to a municipal election

(c) The provisions of this subdivision shall not be construed to apply to elective public offices for which a

method is provided in this act for the holding of special elections to fill vacancies in certain public offices or to the filling of vacancies in the office of presidential electors in accordance with the provisions of section nine hundred eighteen of this act Nor shall the provisions of this subdivision be construed to apply to any public office for which by the provisions of any statute a vacancy is required to be filled at the next election appropriate to the office if said vacancy occurs at any time within two (2) calendar months immediately preceding a general or municipal election as the case may be

Section 994 Number Form and Requirements of Nomination Certifiates to Fill Certain Vacancies (a) Each political party shall be entitled to nominate and to file nomination certificates in accordance with the provisions of section nine hundred ninety-three of this act for the purpose of supplying as many candidates as each elector will be entitled to vote for at the ensuing November election Every nomination certificate for a November election required under the provisions of section nine hundred ninety-three of this act shall be in the form prescribed by the Secretary of the Commonwealth and shall set forth the following

(1) The office and district if any for which it is filed

(2) The cause of the vacancy

(3) The rule or rules of the political party setting forth the provisions applicable to the nomination of a candidate or candidates to fill said vacancy

(4) That a quorum of the committee caucus or convention as provided by the party rules duly convened and the names of those present at said meeting or their proxies that said persons are the duly appointed or elected members of said committee caucus or convention

(5) The name residence and occupation of the candidate duly nominated at said meeting

(b) Every such certificate of nomination shall be signed by the presiding officer and the secretary or secretaries of the committees caucus or convention and shall be sworn or affirmed to by them before any officer qualified to administer oaths

Section 995 Secretary of the Commonwealth or County Board of Elections to Examine Nomination Certificates and Nomination Papers to Fill Certain Vacancies Review (a) It shall be the duty of the Secretary of the Commonwealth or the proper county board of elections as the case may be to examine as to legal sufficiency in the manner and under the provisions of section nine hundred seventy-six of this act all nomination certificates and nomination papers brought to his or its office for the purpose of filing for the nomination of candidates for a general or municipal election as the case may be in accordance with the provisions of section nine hundred ninety-three of this act and if manifestly defective they shall not be filed

(b) No such certificate of nomination or nomination paper shall be refused by the Secretary of the Commonwea th or the county board of elections except for a reason provided for in section nine hundred seventy-six of this act

(c) The action of the Secretary of the Commonwealth or the county board of elections in refusing to accept and file any such certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for mandamus to compel its reception and filing as of the date when it was brought to said office

Section 896 Objections to Certificates of Nomination and Nomination Papers Filed to Fill Certain Vacancies for a November Election Hearing Determination (a) All certificates of nomination and nomination papers to fi'l certain vacancies in accordance with the provisions of section nine hundred ninety-three of this act which have been accepted and filed shall be deemed to be valid unless within three (3) days next succeeding the last day for filing such certificates or papers objections thereto are duly made in writing and filed in the court of common pleas of the county in which the nomination certificates or papers were filed and with the officer or board with whom said nomination certificates or papers were filed Any objections shall set forth specifically the matters objected to

(b) Upon the filing of the objections the court shall make an order fixing a time for hearing which shall not be later than seven (7) days after the last day for filing nomination certificates or papers and specifying the time and manner of notice that shall be given to the candidate named in the nomination certificate or paper objected to On the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and sha l finally determine said matter promptly

Section 997 Withdrawals of Candidates Nominated to Fill Certain Vacancies at a November Election (a) Any person who has been nominated by any political party or political body to fill certain vacancies at a November election in accordance with the provisions of section nine hundred ninety-three of this act may withdraw his name from nomination by a request in writing signed by him and acknowledge before an officer qualified and empowered to administer oaths and filed in the office of the officer or board with whom the nomination certificate or nomination papers were filed within three (3) days next succeeding the last day for fi ing nomination certificates or papers Such withdrawals to be effective must be received at the office of the Secretary of the Commonwealth not later than five (5) o'clock P M or at the county board of elections not later than the ordinary closing hour of its office on the last day for filing same

(b) No name so withdrawn shall be printed on the bal ot or ballot labels

(c) No candidate may withdraw any withdrawal notice already received and filed and thereby reinstate his nomination

Section 998 Substituted Nominations to Fill Certain Vacancies for a November E.ection (a) Any vacancy happening or existing in any party nomination made in accordance with the provisions of section nine hundred ninety-three of this act for a November election by reason of the death or withdrawal of any candidate may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on the party ticket in the form prescribed by section nine hundred ninety-four of this act But no substituted nomination certificate shall nominate any person who has already been nominated by any other political party or by any political body for the same office unless such person is a candidate for the office of judge of a court of record

(b) In case of the death or withdrawal of any candidate nominated by a political body for an election the committee named in the original nomination papers may nominate a substitute in his place by filing a substituted nomination certificate in the form and manner prescribed by section nine hundred eighty of this act In the case of a vacancy caused by the death of any candidate said nomination certificate shall be accompanied by a death certificate properly certified No substituted nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the ensuing November election unless such person is a candidate for the office of judge of a court of record

(c) Substituted nomination certificates to fill vacancies caused by the withdrawal of candidates nominated for a November election in accordance with the provisions of section nine hundred ninety-three of this act shall be fi ed with the officer or board with whom the original nomination certificates or papers were filed not later than seven (7) days after the last day for filing the original nomination certificates or papers

(d) Substituted nomination certificates to fill vacancies caused by the death of candidates nominated for a November election in accordance with the provisions of section nine hundred ninety-three of this act shall be filed in the office of the officer or board with whom the original nomination certificates or papers were filed at

any time prior to the day in which the printing of ballots is started

Section 999 Objections to Substituted Nomination Certificates Filed to Fill Certain Vacancies for November Election All substituted nomination certificates for a November election filed in accordance with the provisions of section nine hundred ninety-eight of this act may be objected to as provided in section nine hundred eighty-two of this act

Section 999.1 Candidates to Fill Certain Vacancies Certification of Nominees by Secretary of the Commonwealth to County Election Boards The Secretary of the Commonwealth sha'l certify in accordance with section nine hundred eighty-four of this act the names and residences of and parties of political bodies represented by all candidates whose nomination certificates or papers have been filed with him in accordance with the provisions of section nine hundred ninety-three or subdivision (e) of this act for a general or municipal election as the case may be and have not been found and declared invalid and to be voted for in the county or any district or districts thereof

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

Oh the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McGinnis,		

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 419, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Col'eges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissiones defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the Department of Public Works transferring to it all the powers and duties of the Department of Highways and the State Planning Board all of the powers and duties of the Pennsylvania Aeronautics Commission except the inspection regulation and licensing of airports those powers and duties of the Department of Property and Supplies relating to the management and control construction and repair of all buildings owned or leased by the Commonwealth and those powers and duties of the Department of Internal Affairs relating to municipal and township development transferring the Board of Commissioners of Public Grounds and Buildings the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works providing for a Secretary of Public Works defining his powers and duties abolishing the Department of Highways the State Planning Board and the Pennsylvania Aeronautics Commission reconstituting the State Planning Board and advisory board within the Department of Public Works creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies and transferring appropriations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 468, as follows:

An Act to amend Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the area in which school directors may attend certain meetings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as added by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2152) is hereby amended to read as follows

Section 516.1 Expenses for Attendance at Meetings of Educational or Financial Advantage to District [Expenses] When in the opinion of the board of school directors attendance of one or more of its members on any meeting held within the Commonwealth or within three hundred (300) miles of the boundary thereof (other than annual State and county conventions of school directors and meetings called by the county superintendent) will be of educational or financial advantage to the district it may authorize the attendance of one or more of its members at such meeting not exceeding two meetings in any one school year Each person so authorized to attend and attending shall be reimbursed for all expenses actually and necessarily incurred in going to attending and returning from the place of such meeting but not exceeding eight dollars ($8) per day together with mileage at the rate of six cents ($.06) for each mile in going to and returning from each meeting Such expenses shall

be paid by the treasurer of the school district in the usual manner out of the funds of the district upon presentation of an itemized verified statement of such expenses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Holland,	McCusker,	Taylor,
Berger,	Kessler,	McGinnis,	Wade,
Blass,	Kopriver, Jr.	McPherson, Jr.	Wagner,
Chapman,	Lane,	Miller,	Walker,
Diehm,	Letzler,	Pechan,	Watkins,
Fleming,	Madigan,	Peelor,	Weiner,
Freed,	Mahany,	Ruth,	Wolfe,
Haluska,	Mallery,	Stevenson,	Wood,
Hare,	McCreesh,	Stiefel,	Yosko,
Harney,			

NAYS—2

McMenamin, Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 474, as follows:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interests of public health" by providing certain exceptions to said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" as last amended by the act approved the thirtieth day of June one thousand nine hundred fifty-one (P. L. 955) is hereby further amended to read as follows

Section 1 The drug known as penicillium (penicillin) and any of its derivatives preparations or compounds of the same except penicillin teat dilators and veterinarian ointment for mastitis and penicillium (penicillin) its derivatives preparations and compounds when used in the supplementation of animal or poultry feeds and animal or poultry feeds when so supplemented not intended for human consumption shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name and the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, this bill would provide only that farmers may buy penicillin, which is used in supplement of feed for poultry and animals. They would not have to get a written prescription in order to buy it at the drugstore, when it is prepared for use in conjunction with feeds.

Mr. President, I believe this is sensible legislation. I think all of us know that the farmers of Pennsylvania are working under many handicaps today, and this would save them some little money. I certainly hope that my colleagues here will vote favorably on this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kessler,	McMenamin,	Toole,
Camiel,	Kopriver, Jr.	McPherson, Jr.	Wade,
Crowe,	Lane,	Miller,	Wagner,
Dent,	Leader,	Pechan,	Walker,
Diehm,	Letzler,	Peelor,	Watkins,
DiSilvestro,	Madigan,	Propert,	Weiner,
Fleming,	Mahany,	Ruth,	Wolfe,
Freed,	Mallery,	Silvert,	Wood,
Haluska,	McCreesh,	Stevenson,	Yosko,
Hare,			

NAYS—1

Chapman.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 489, as follows:

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended in part by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1195) is hereby further amended to read as follows

Section 1330 Exceptions to Compulsory Attendance The

provisions of this act requiring regular attendance shall not apply to any child who

(1) Has attained the age of sixteen (16) years and who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session and who holds an employment certificate issued according to law

(2) Has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner and has been found to be unable to profit from further public school attendance and who has been reported to the board of school directors and excused in accordance with regulations prescribed by the State Council of Education

(3) Has attained the age of fifteen (15) years and is engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's residence in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe

(4) Has attained the age of fourteen (14) years and is engaged in farm work on a farm on which has parents live or in domestic service [in a private home] in the home of his parents on a permit issued [as provided in clause (3) of this section] by the school board or the designated official of the school district of the child's residence and who has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides if the issuance of such a permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and [the reason therefor] has been approved by the Superintendent of Public Instruction

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile resides two miles or more by the nearest public highway from any public school in session and no proper free transportation is furnished to such child to and from school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Haluska,	McCreesh,	Stiefel,
Berger,	Hare,	McCusker,	Taylor,
Blass,	Harney,	McGinnis,	Toole,
Camiel,	Holland,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,

NAYS—2

Lane,	McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 885, as follows:

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of registered surveyors not resident in the county to boards of viewers in counties of the eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) is hereby further amended to read as follows

Section 171 Number of Members Qualifications Compensation There is hereby established in each county a board of viewers The board of viewers in counties of the second class shall consist of not less than six nor more than nine members one-third of whom may be learned in the law and members of the bar of the county In each county of the third fourth fifth sixth seventh and eighth classes said board shall consist of not less than three nor more than nine members one-third of whom may be registered surveyors or members of the bar of the county except that in counties of the eighth class if no registered surveyors are residents in the county registered surveyors not resident in the county may be appointed The judges of the court of common pleas shall in each case determine within the aforesaid limits the total number of members of which the board shall be composed fixing and determining such number as shall be deemed necessary for the proper performance of the duties imposed upon the board The court may also from time to time change the total number of members within the above limits

The salary board of each county shall fix the compensation of the members of the board of viewers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Stevenson,	Yosko,
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL RE-REFERRED

Mr. MAHANY. Mr. President, inasmuch as House Bill No. 42 refers to the Charities Solicitation Act, and this

type of legislation has always been heretofore considered by the Judiciary General Committee of the Senate, and this committee has not had an opportunity to study this legislation, and because it does refer to a very important law of the Commonwealth, I move that House Bill No. 42, on second reading, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing for payment of costs in addition to compenastion of solicitors and exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act

be re-referred to the Committee on Judiciary General.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 63, on second reading, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 67, on second reading, entitled:

An Act to amend subsection (a) of section 2 of the act approved the twenty-third day of May 1945 (P. L. 913) entitled "An act relating to and regulating the practice of the profession of egineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering survey and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing laws" by further defining the practice of engineering

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 97, entitled:

An Act to prohibit acquisition of property and property rights by condemnation except by the Commonwealth and its political subdivisions until payment into court of a percentage of the damages admittedly due owners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 287, on second reading, entitled:

An Act to further amend Section 11 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for retroactive service allowance of certain employes

be re-referred to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 307, on second reading, entitled:

An Act making a deficiency appropriation to the Brandywine Battlefield Park Commission for the payment of necessary expenses

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 450, on second reading, entitled:

An Act relating to the establishment and operation of educational television stations conferring powers and imposing duties upon the Department of Public Instruction.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 451, on second reading, entitled:

An Act to amend the act approved the tenth day of

March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochiel schools amending revising consolidating and changing the laws relating thereto" by authorizing certain contracts relating to television

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 452, on second reading, entitled:

An Act to reenact and further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing educational television stations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 473, on second reading, entitled:

An Act to further amend subsection A of Section 4 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grante from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by authorizing as Authority projects buildings grounds and structures for the purpose of holding farm shows

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 517, entitled:

An Act to amend the title and the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by abolishing the State Tax Equalization Board transferring the powers and duties thereof to the Department of Internal Affairs and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 518, entitled:

An Act to amend Section 2 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608) entitled "An act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act approved the tenth day of June one thousand nine hundred forty-seven (Appropriation Acts page 27 Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission" by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 520, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions

and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 521, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certan administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs and changing the membership of the board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 522, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL INTRODUCED AND REFERRED

Mr. BLASS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS read in place and presented to the Chair Senate Bill No. 556, entitled:

An Act to add Clause 5.1 to subsection (b) of Section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by fixing the speed limitations of motor vehicles drawing certain trailers.

Which was committed to the Committee on Highways.

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committe at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Mines and Mining to which was referred resolution offered by Messrs. Letzler and Peelor, on April 15, 1953, reported the same without amendment as follows:

MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND TRADE LEGISLATION

In the Senate, April 15, 1953.

Whereas, The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability;

Whereas, The lower wages paid abroad make it impossible for many of our own smaller and medium-sized producers to compete with imports without resorting to ruinous pricecutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment;

Whereas, Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedent high level, or close thereto, lest we become insolvent;

Whereas Pressure that cames from imports of residual fuel oil, having risen from an average of fifty million barrels in the 1946-1948 period to more than one hundred twenty-five million in 1952, or the equivalent of thirty-one million tons of coal; from imports of pottery, watches and parts, glassware, lace, carpets and other textiles, hats and millinery, chemicals, scientific apparatus, cutlery, dairy products, wall paper, luggage and leather goods, and many other articles, will render the upholding of the economy at its high levels most uncertain and difficult, unless all import trade is placed on a fair competitive basis and the potential injury therefrom this contained; and

Whereas, A maximum of such trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (if the House of Representatives concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation against the destruction or lowering of our American standard of living, the labor standards of our workmen, and the stability of our economy of unfair import competition and that existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United State Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

Laid over for one day under the Rules.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 61, entitled:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and associations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 289, entitled:

An Act to further amend Section 202, to add Section 418.1 and to further amend Section 1310 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fiixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Practical Nurse Examiners as a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 290, entitled:

An Act providing for and regulating the licensing and practice of practical nursing, and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring back-filling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for appeals, and imposing penalties, and making appropriations," by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 333, entitled:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 334, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 335, entitled:

An At to amend the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing for and regulating withdrawal of payments from the police pension funds in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 383, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 384, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the leving assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the imposition of taxes under the provisions of said act the limitations thereon and the publication and filing of notices relative thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No 402, entitled:

An Act relating to agreements, leases and other instruments granting anthracite rights, made or joined in by political subdivisions; providing for approval by the Secretary of Mines under certain conditions and rendering them otherwise void; providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions or of a taxpayer of such.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school distiicts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the

proceeds thereof including State axes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgageh and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act relating to and regulating the contracts of incorporated towns and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 709, entitled:

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, May 6, 1953, at 10:00 o'clock a. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:26 o'clock p. m., Eastern Standard Time, until Wednesday, May 6, 1953, at 10:00 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 5, 1953

The House met at 12:00 noon EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend Charles F. Trunk, Jr., guest Chaplain and pastor of the Bethlehem Lutheran Church, Harrisburg, offered the following prayer:

O God, we thank Thee that we are privileged to serve Thee in a special way. Thou knowest the high purposes of our youthful days, and Thou knowest how little we have lived up to them. Make us masters of the fine art of living, lest we become victims of our own lack of faith. Make us also to be good servants of Thy will, so that we do not give way to despair. Teach us to rule our own selfishness, so that we can overrule the selfishness of others, for in Thy Name we serve and pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, May 4, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Monday, May 4, 1953 be postponed until the Journal is in print.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. GOODLING from the Committee on Liquor Control, reported as committed, House Bill No. 213, entitled:

An Act to further amend Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaded or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," extending the scope of local option to include granting of importing distributors' licenses.

Mr. BOLTON from the Committee on Elections and Apportionment, reported as committed, House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as committed, House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide as adsectum, judgment, index and fixing the fees of the prothonotaries therefor.

Mr. LAFORE from the Committee on Military Affairs, reported as committed, House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the unauthorized wearing of Civil Air Patrol uniforms, or insignia; and providing penalties.

Mr. WEIDNER from the Committee on Municipal Corporations, reported as committed, House Bill No. 651, entitled:

An Act to further amend the act, aproved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisidiction on certain courts over rates," by providing for increase in member and change in term of members of Authority Boards.

Mr. VAN SANT from the Committee on Cities-Third Class, reported as committed, House Bill No. 833, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing annual assessments in lieu of triennial assessment for cities of the third class.

Mr. WILLIAM B. SMITH from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1060, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of election, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the filing fees for judges in Philadelphia, and the number of signers and filing fees for magistrates in cities of the first class.

Mr. PETROSKY, from the Committee on Liquor Control, reported as committed, House Bill No. 1089, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennslylvania Liquor Control Board; providing for the establishment

and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by removing the time limitation of sixty days for filing local option petitions, so that the provisions of the Pennsylvania Election Code will apply.

Mr. VARNER, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1133, entitled:

An Act to further amend article nine of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject mater of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring that scales used in determining weights of vehicles and loads be tested and approved, and authorizing inspectors of weights and measures to make such tests.

Mr. WESCOTT from the Committee on Motor Vehicles, reported as committed, House Bill No. 1175, entitled:

An Act to further amend Section 802 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing ambulances to be equipped with two spot lamps.

Mr. WEIDNER from the Committee on Motor Vehicles, reported as committed, House Bill No. 1197, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the secretary to suspend registrations of manufacturer's, jobber's and dealer's in the dealer's class, further regulating use of dealer's registration plates in certain cases.

Martin, May 5.

Mr. THOMAS H. W. JONES, from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1206, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violations of the act, codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing filing fees for nomination petitions of jury commissioners.

Mr. BOMBERGER, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1215, entitled:

An Act to amend Section 830 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining the term "log" as used in provisions requiring that logs carried on certain vehicles and trailers be securely fastened.

Mr. LAFORE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1217, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L.

905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the penalty as to speed.

Mr. BROWN, from the Committee on Military Affairs, reported as committed, Senate Bill No. 136, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," by specifying in more detail the authority of recorders of deeds in certain instances.

STUDENTS OF CORNWALL HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is happy to present to the Members of the House today students from the Cornwall High School in charge of their teachers, Mr. Paul Boltz and Mr. James Bright. They are the guests of the gentleman from Lebanon, Mr. Light.

JERSEY SHORE DISTRICT COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER. We also have with us today a delegation of ladies from the Jersey Shore District Council of Republican Women of Lycoming County. They have with them their President, Mrs. Katherine Carpenter. They are the guests of the gentlemen from Lycoming, Messrs. Gleason and Sucher.

FOUNTAIN HILL COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER. We are also happy to have with us today a delegation of women of the Fountain Hill Council of Republican Women of Lehigh County, accompanied by their President, Mrs. Hannah McMurray. They are the guests of the lady from Lehigh, Mrs. Markley.

ANNOUNCEMENT

The SPEAKER. The Chair has been requested to announce that there will be a Republican Caucus immediately in the Republican Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one and one-half hours. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. TOMPKINS. HOUSE BILL No. 1252.

An Act to amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by defining imprisonment, making the crime of prison breach a felony and fixing the penalty therefor.

Referred to the Committee on Judiciary.

By Messrs. HOCKER and PETROSKY. HOUSE BILL No. 1253.

An Act to further amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by further regulating outside advertising by manufacturers, distributors and importing distributors.

Referred to the Committee on Liquor Control.

By Messrs. LEISEY, SCHMIDT and THOMAS. HOUSE BILL No. 1254.

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by providing for the transportation, sale and delivery of manure.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. MILLS. HOUSE BILL No. 1255.

An Act to amend Section 493 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by restricting the size of liquor advertisements.

Referred to the Committee on Liquor Control.

By Mr. DUNN. HOUSE BILL No. 1256.

An Act requiring persons, associations, partnerships, corporations, and their agents engaged in the business of buying, receiving, selling, exchanging, negotiating or soliciting the sale, re-sale, exchange or transfer of junk, scrap iron, used or second hand iron, steel, copper, brass, lead, aluminum or other metal, used or second hand wire, rope, rails of iron, steel or other metal or cables to keep certain records thereof and imposing penalties for violations.

Referred to the Committee on Law and Order.

By Mr. SCOTT. HOUSE BILL No. 1257.

An Act providing for compliance with Federal law and the approval of certain institutions; providing for inspections of such institutions; conferrng powers and imposing duties on the Department of Welfare; and imposing penalties.

Referred to the Committee on Welfare.

By Mr. SCOTT. HOUSE BILL No. 1258.

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for retirement allowances to contributors after twenty-five years of service but prior to reaching superannuation retirement age, whether such retirement be voluntary or involuntary and fixing minimum allowances in such cases.

Referred to the Committee on Counties.

By Messrs. BLAIR, QUISENBERRY and WATERHOUSE. HOUSE BILL No. 1259.

An Act to further amend subsection (d) of Section 326 of the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by granting the court power to issue orders for temporary restraint of certain mentally ill persons so as to permit medical examinations.

Referred to the Committee on Judiciary.

By Messrs. RUBIN, SCHMIDT and THOMAS. HOUSE BILL No. 1260.

An Act to further amend the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by further defining "liquid commodity" and regulating the sale of candy and candy products.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. BLAIR and WATERHOUSE. HOUSE BILL No. 1261.

An Act to amend clause (10) of subsection (b) of Section 828 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring school districts to erect school bus stop signs.

Referred to the Committee on Motor Vehicles.

By Messrs. TAYLOR and WHITE. HOUSE BILL No. 1262.

An Act to reenact and further amend Section 302 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by exempting resident war veterans from payment of license fees.

Referred to the Committee on Game and Forestry.

By Messrs. TAYLOR and WHITE. HOUSE BILL No. 1263.

An Act to reenact and further amend Section 220 of the act, approved the second day of May one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by exempting resident war veterans from payment of license fees.

Referred to the Committee on Fisheries.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. SCHWARTZ, TOLL and HERSCH. RESOLUTION (Not Printed)

In the House of Representatives, May 4, 1953.

Chief Justice Horace Stern of the Pennsylvania Supreme Court has ably stated the loss to Pennsylvania and to the legal profession occasioned by the death of Judge James Gay Gordon, Jr., with these words: "Every member of the Bench and Bar of Pennsylvania will subscribe to the fact that he was one of the ablest jurists of the Commonwealth—not only at the present time, but in all history.

A resume of Judge Gordon's life confirms the variety of Justice Stern's eulogy.

James Gay Gordon, Jr., was the second son of the late Judge Gay Gordon, Sr. He was born January 20, 1887 in Philadelphia, and received his early education at Episcopal Academy and Phillips Exeter Academy. At the age of sixteen he entered Princeton University and graduated in 1907 with a Bachelor of Arts Degree. He immediately entered the University of Pnnsylvania Law School and graduated in 1910 as a Bachelor of Laws.

In 1911 he was appointed Assistant City Solicitor for Philadelphia; a post he held until 1916 when he was appointed an Assistant District Attorney. He gained fame as a law enforcement officer by his relentless and highly successful campaign against the illegal sale of narcotics in the city.

At the age of 35, Governor Sproul, in 1922, appointed him to the Bench of Common Pleas Court Number 2 in Philadelphia. He was one of the youngest men ever appointed to a judicial post in Pennsylvania. He was elected to the office in 1923, with the wholehearted support of both political parties. A favorable commentary upon his fairness and judicial ability is evidenced by the fact that in every succeeding election he has enjoyed this bi-partisan support.

Perhaps the reason for his popularity as a man and as a jurist was his ceaseless struggle to improve the administration of justice, as exemplified by the crusade against "Straw Bail," which resulted in a revision of the court rules that greatly reduced this evil practice. His work as Chairman of the Parole Commission for Governor Earle paved the way for our present parole system. Recently, he served as a member of the advisory committee of the Joint State Government Commission which revised the criminal code and the code of criminal procedure. His last efforts were directed toward the passage of legislation which would guarantee accused persons freedom from police coercion.

The high literary style of Judge Gordon's opinions were as famed as his legal reasoning. His decisions are outstanding examples of legal and literary masterwork.

The Commonwealth has truly suffered a great loss in the fields of law and human relationship by the death of Judge Gordon; now therefore be it

Resolved, That the Senate extend its heartfelt condolences to the family of Judge Gordon, and its sincere gratitude for his tireless endeavors to make the law just and equal to all who seek relief and protection under it; and be it further

Resolved, That the Secretary of the Senate be instructed to transmit a copy of these resolutions to Judge Gordon's widow, Mrs. Elizabeth Keller Gordon.

Referred to the Committee on Rules.

By Messrs. LOVETT, TOLL, POLTENSTEIN, SCHMIDT, LEVEN and WELSH.

(Concurrent) RESOLUTION (Not Printed)

In the House of Representatives, May 4, 1953.

Whereas, the Tidelands Oil property is the rightful property of all the people of the United States and has so been declared by the Supreme Court of the United States; and

Whereas, the people of the Commonwealth of Pennsylvania support the concept of the ownership of Tidelands Oil properties by all the people of this country; and

Whereas, legislation is now active in the Senate of the United States opposing the public ownership of the tidelands oil property; and

Whereas, amendments have been offered to the legislation so as to benefit all the people of the United States with respect to the use of income derived from tidelands oil for common defense and for education; and

Whereas, the General Asembly of the Commonwealth of Pennsylvania is now engaged with the problem of raising additional revenue to adequately provide for the educational needs of the people; and

Whereas, various forms of taxation have been suggested including a sales tax so that the people of the Commonwealth contribute for the purpose; and

Whereas, the Senate of the United States is currently considering legislation in connection with the ownership of tidelands oil which would provide funds for Pennsylvania to be used for educational purposes; and

Whereas, the Anderson Amendment which would provide funds for education was defeated in the Senate of the United States on April 27, 1953, by a vote of 56 to 33; and

Whereas, U. S. Senators Martin and Duff of Pennsylvania voted with the senators who opposed the amendment favoring educational needs; and

Whereas, the vote also adversely affects the proposal by U. S. Senator Lister Hill to earmark the funds for aid to schools in all the states; therefore be it

Resolved (if the Senate concur), that this General Assembly does herewith memorialize the U. S. Senators from the Commonwealth of Pennsylvania to vote against legislation which will deprive the people of the Commonwealth of any funds earmarked for educational purposes and which will enure to the benefit of the Commonwealth and particularly to support any amendments to the tidelands oil legislation which will benefit education in Pennsylvania, and be it further

Resolved, that a copy of this Resolution be transmitted to U. S. Senator Edward Martin and U. S. Senator James H. Duff, and a copy to the President of the United States.

Referred to the Committee on Rules.

By Messrs. TOLL, WELSH, HERSCH and SCHWARTZ.

(Concurrent) RESOLUTION (Not Printed)

In the House of Representatives, May 4, 1953.

Whereas, The Pennsylvania Workmen's Compensation Laws first were enacted in the year 1915 and numerous amendments and changes were made in the period which will cover forty (40) years by the time the next session of the Assembly begins, and

Whereas, Said Workmen's Compensation Laws should be carefully studied and codified and revised in order to make the language clear and make it more effective for its intended purposes to benefit injured workmen, therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to survey, investigate and consider all of the Workmen's Compensation Laws of the Commonwealth and to completely revise and restate such laws into codified form and to report its findings, conclusions and recommendations to the next regular session of the General Assembly, with a bill embodying a codifiication of the Workmen's Compensation Laws of the Commonwealth to be introduced at the next regular session of the General Assembly.

Referred to the Committee on Rules.

SENATE MESSAGE

INDIANTOWN GAP MILITARY RESERVATION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1953.

Whereas, Congress proposes to inactivate the Indiantown Gap Military Reservation; and

Whereas, This reservation is the only military installation in Pennsylvania used for training very large groups of soldiers; and

Whereas, Subsequent to the cessation of hostilities after World War II, Indiantown Gap Military Reservation was inactivated and was activated again about February 1, 1951 at a great cost to the Federal Government; and

Whereas, The reservation is ideally located from the standpoint of obtaining supplies, civilian employes, housing for officers and enlisted men, transportation and recreation; and

Whereas, The inactivation of Indiantown Gap Military Reservation will have a great adverse effect on the economy of the communities within a radius of thirty miles of the reservation; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to reconsider the inactivation of Indiantown Gap Military Reservation; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of Congress of the

United States and to each Senator and Representatives from Pennsylvania in the Congress of the United States.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 11, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, May 11, 1953 at three-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. WOOD. Mr. Speaker, I move that House Bill No. 445, Printer's No. 172, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 445.

A Supplement To the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 18, by striking out after the second word "of" the following: "one hundred twenty thousand dollars ($120,000)" and inserting in lieu thereof the following: "ninety-nine thousand dollars ($99,000)";

Amend page 6, by striking out lines 10 to 20 inclusive; page 7, by striking out lines 1 to 5 inclusive;

Page 7, line 14, by striking out the words "one hundred twenty thousand dollars ($120,000)" and inserting in lieu thereof: "ninety-three thousand dollars ($93,000)."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. WOOD. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

Mr. BOISE IN THE CHAIR.

REPORTS FROM COMMITTEES

Mr. RAGOT from the Committee on Elections and Apportionment, reported as committed, House Bill No. 9, entitled:

An Act to amend subsections (a) and (f) of Section 1307 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by authorizing voting by qualified electors honorably discharged from the military service within thirty days prior to the last day for registration.

Mr. POLASKI from the Committee on Cities-Third Class, reported as amended, House Bill No. 125, entitled:

An Act to further amend section 2103 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by permitting sick leaves of firemen to be accumulated.

Mr. WATERHOUSE, from the Committee on Liquor Control, reported as amended, House Bill No. 328, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by prohibiting the sale of liquor and malt or brewed beverages on certain holidays.

Mr. YOUNG, from the Committee on Motor Vehicles, reported as committed, House Bill No. 854, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and

licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by regulating the passing of vehicles at intersections; the use of highways by pedestrians and imposing penalties.

Mr. LEVEN, from the Committee on Judiciary, reported as committed, House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 80, entitled:

An Act to further amend subsection (i) of Section 4 of the act aproved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. ROYER. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I should like to interrogate the gentleman from Lancaster who made the motion to recommit.

The SPEAKER, pro tempore. Will the gentleman from Lancaster, Mr. Royer, permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does the motion to recommit represent the considered policy of hostility upon the part of the Majority to this bill?

Mr. ROYER. Mr. Speaker, in answer to the gentleman from Cambria, Mr. Andrews, I would say that it is not.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. On the basis of that statement we will not oppose the motion to recommit.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial school.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HOCKER offered the following amendment:

Amend Sec. 1, (Sec. 1515), page 2, lines 11 and 12, by striking out "elective office of the local" and inserting in lieu thereof: "important elected and appointed officer of the borough, city, county and township form of local government and of the"

In was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 344, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alder-

men justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an apropriation and providing for refunds" by changing the registration fee of certain motor buses and motor omnibuses and prohibiting the use of metal or solid rubber or cushion rubber tires on such vehicles.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BOMBERGER offered the following amendment:

Amend Sec. 1 (Sec. 707) page 5, lines 3 and 4, by striking out both of said lines.

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 555, entitled:

An Act to add Section 650.1 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting publications devoted to fictional deeds of crimes bloodshed lust or immorality which tend to incite minors

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 573, entitled:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation

The first section was read.

On the question,

Will the House agree to the section?

Mr. WATERHOUSE offered the following amendment:

Amend Sec. 1 (Sec. 201) page 3, lines 9, 10 and 11, by striking out "Pro" in line 9 and all of lines 10 and 11 and inserting in lieu thereof: "The provisions of this section shall not be construed to affect any tax levied upon any machinery tool appliances or other equipment in counties of the second class."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WATERHOUSE offered the following amendment:

Amend Sec. 2, page 4, lines 11, 12, and 13 by striking out all of said lines and inserting in lieu thereof: "Section 2. The provisions of this act shall become effective the thirtieth day of June, one thousand nine hundred fifty-three."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 574, entitled:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assitant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

The first section was read.

On the question,

Will the House agree to the section?

Mr. WATERHOUSE offered the following amendment:

Amend Bill, page 4, by inserting after line 16: "Section 2. The provisions of this act shall become effective the thirtieth day of June, one thousand nine hundred fifty-three."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and con-

sideration of House Bill No. 581, entitled:

An Act to amend Section 3 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting any such corporation incorporated prior to one thousand eight hundred seventy-four to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 591, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905 entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing requirements and penalties concerning lamps illuminating devices and reflective materials

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 601, entitled:

An Act to amend section 200 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by giving the Pennsylvania Fish Commission power to use any method or means of fish eradication for the purpose of fish management and control

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 692, entitled:

An Act to amend the act approved the eighth day of May one thousand nine hundred seven (P. L. 184 No. 146) entitled "An act to further remove the disability of a wife in testifying in cases where the husband is a party" by making husband competent witness in rebuttal under certain circumstances

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 796, entitled:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceeedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 965, entitled:

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 970, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the

first lass amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1003, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second clas and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1009, entitled:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1021, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1095, entitled:

An Act to add section seven hundred twenty-three point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any prisoner to hold a guard or any other person as a hostage in a penal institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 9, Printer's No. 16, and

Senate Bill No. 16, Printer's No. 164,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 43, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureau and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. KRATZ. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of holding a public hearing in the Capitol at Harrisburg on Tuesday, May 12, 1953, at 10:00 a. m., DST.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

Senate Bill No. 76, Printer's No. 36,
was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 122, entitled:

An Act to amend the third paragraph of section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 207, Printer's No. 65,
Senate Bill No. 211, Printer's No. 29,
Senate Bill No. 294, Printer's No. 69,
Senate Bill No. 416, Printer's No. 135,
Senate Bill No. 422, Printer's No. 139,
Senate Bill No. 423, Printer's No. 140,
Senate Bill No. 424, Printer's No. 141,
Senate Bill No. 425, Printer's No. 142,
Senate Bill No. 426, Printer's No. 143,
Senate Bill No. 427, Printer's No. 144 and
Senate Bill No. 428, Printer's No. 145,

were passed over at the request of the SPEAKER pro tempore.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 38, as follows:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousond nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as last amended by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1198) is hereby further amended to read as follows

Section 12 (a) Any person who possesses sells dispenses or gives away any drugs in violation of the provisions of this act shall be guilty of a felony and upon conviction thereof shall be sentenced as follows For a first offense to pay a fine not exceeding two thousand dollars ($2000) and to undergo imprisonment of not less than two (2) years and not exceeding five (5) years For a second offense or if in case of a first conviction of violation of any provisions of this act the offender shall previously have been convicted of any violation of the laws of the United States or of any other state territory or district relating to drugs to pay a fine not exceeding [four thousand dollars ($4000)] five thousand dollars ($5000) and to undergo imprisonment of not less than five (5) years and not exceeding ten (10) years and for a third or subsequent offense or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state territory or district relating to drugs to pay a fine not exceeding [six thousand dollars ($6000)] seven thousand five hundred dollars ($7500) and to undergo imprisonment of not less than ten (10) years and not exceeding thirty (30) years

Except in the case of conviction for a first offense for violation of the provisions of this subsection the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served

(b) Any person who shall violate or fail to comply with any of the other provisions of this act except as provided in the last paragraph of section eight shall be guilty of a felony and upon conviction shall be sentenced to pay a fine not exceeding two thousand dollars or to undergo an imprisonment not exceeding five years or both at the discretion of the court

(c) If the violation is by a corporation copartnership or association the officers and directors of such corporation or the members of such copartnership or association their agents and employes with guilty knowledge of the fact shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adam,	Geer,	Lovett,	Royer,
Alexander,	Gibson,	Lutty,	Rubin,
Amarando,	Gleason,	Maguire,	Sarraf,
Andrews,	Glick,	Mahan,	Schmidt,
Ashton,	Goodling,	Markley,	Schuster,
Auker,	Graimlich,	Mathews,	Schwartz,
Banker,	Greenwood,	Maxwell,	Shoemaker,
Barkdoll,	Guss,	McCullough,	Shotwell,
Baumunk,	Gutendorf,	McDermit,	Smith, W. B.,
Bazin,	Hall,	McGee,	Spencer,
Bear,	Hamilton, R. K.,	McInroy,	Stevenson,
Blair,	Hamilton, W. H.,	McWherter,	Stimmel,
Boies,	Harris,	Metz,	Stone,
Bolton,	Haudenshield,	Mihm,	Stoner,
Bomberger,	Hersch,	Mikula,	Strausser,
Boory,	Hewitt,	Miller,	Sucher,
Bower,	Hocker,	Mills,	Taylor,
Breisch,	Hoggard,	Monroe,	Thomas,
Breth,	Ide,	Moody,	Thompson,
Bucchin,	Jenkins,	Moore,	Tompkins,
Buchanan,	Jim,	Moran,	Toomey,
Bullen,	Johnson,	Moscrip,	VanSant,
Capano,	Jones, Geo. E.,	Muldowney,	Varallo,
Cianfrani,	Jones, Granville E.,	Murray, J. J.,	Varner,
Clapper,	Jones, Paul F.,	Murray, P. G.,	Vaughan,
Cochran,	Jones, T. H. W.,	Naugle,	Verona,

Comer,	Jump,	Ogilvie,	Wall,
Connelly,	Kamyk,	Olsen,	Wallace,
Conner,	Keller,	Parlante,	Waterhouse,
Cooper,	Kent,	Peifly,	Watkins,
Coyle,	Kerlin,	Peta,	Weidner,
Davis,	Kline,	Petrosky,	Whalley,
Dougherty,	Kohl,	Pettigrew,	White,
Down,	Kornick,	Pfaff,	Whitenight,
Downey,	Kratz,	Phillips,	Willaredt,
DuBois,	Kromer,	Polaski,	Williams,
Dunn,	Kubacki,	Polen,	Wilt,
Erb,	Lafore,	Poltenstein,	Wood,
Ewing,	Lederer,	Price,	Worley,
Farabaugh,	Leisey,	Quisenberry,	Yeakel,
Fenrich,	Leonard,	Ragot,	Yetzer,
Ferster,	Leven,	Reagan,	Young,
Flack,	Light,	Reidenbach,	Zeitz,
Fleischman,	Limper,	Richter,	Ziegler,
Floyd,	Lippincott,	Rosen,	Smith, C. C., Speaker
Flynn,	Lopresti,	Rovansek,	
Frost,			

NAYS—23

Brown,	Kolankiewicz,	Readinger,	Walsh,
Cioffi,	McCann,	Scott,	Wargo,
Curwood,	McCormack,	Seyler,	Welsh,
Filo,	Munley,	Snider,	Wescott,
Guthrie,	Musto,	Stank,	Wheeler,
Helm,	Needham,	Toll,	

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 908, Printer's No. 16 and

House Bill No. 909, Printer's No. 169,

were passed over at the request of the SPEAKER pro tempore.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, as follows:

An Act to add Section 709 to the act aproved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts to lease unused and unnecessary lands and buildings.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 708 thereof a new section to read as follows

Section 709 Lease of Unused and Unnecessary Lands and Buildings The board of school directors of any district may lease for any lawful purpose unused and unnecessary lands and buildings of the district pending the sale thereof or until such time as the board shall decide again to make use thereof for school purposes Terms and conditions of lease shall be fixed by the board in the motion or resolution authorizing the lease All rents collected shall be paid into the general fund of the district

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gleason,	Mathews,	Schwartz,
Alexander,	Glick,	Maxwell,	Scott,
Amarando,	Goodling,	McCann,	Seyler,
Andrews,	Gramlich,	McCormack,	Shoemaker,
Ashton,	Greenwood,	McCullough,	Shotwell,
Auker,	Guss,	McDermit,	Smith, W. B.,
Banker,	Gutendorf,	McGee,	Snider,
Barkdoll,	Guthrie,	McInroy,	Spencer,
Baumunk,	Hall,	McWherter,	Stank,
Bazin,	Hamilton, R. K.,	Metz,	Stevenson,
Bear,	Hamilton, W. H.,	Mihm,	Stimmel,
Blair,	Harris,	Mikula,	Stone,
Boies,	Haudenshield,	Miller,	Stoner,
Bolton,	Helm,	Mills,	Strausser,
Bomberger,	Hersch,	Monroe,	Sucher,
Boory,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Yeakel,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Markley,	Schmidt,	
Gibson,	Mahan,	Schuster.	

NAYS—1

Bower,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 133, entitled:

An Act to further amend section 14 of the act approved the twenty-second day o fMay one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employes and providing for the payment of certain dues fees assessments fines and appropriations there-

to regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payment to beneficiaries.

On the question,

Will the House agree to the bill on third reading?

Mr. VAUGHN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 14), page 5, line 2 by inserting a bracket before the word "and"

Amend Sec. 1, (Sec. 14), page 5, line 7 by inserting after the word "That" the following "for a period of four years from the effective date of this amending act, and"

Amend Sec. 1 (Sec. 14), page 5, line 9, by inserting a bracket before and after the word "amendment" and inserting immediately following thereafter "amending act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 330, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the amounts of payments to beneficiaries.

On the question,

Will the House agree to the bill on third reading?

Mr. VAUGHAN. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 12), page 5, lines 12 and 13, by inserting the following paragraph between same.

"The increase in pension payment herein provided shall be deemed cost-of-living increases for a period of four years from the effective date of this amending act, and in no event shall any decrease in living costs result in decreasing the schedule of pension payments in 1957 to an amount less than the schedule of pension payments in effect prior to the passage of this amending act."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment.

It was agreed to.

on the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 343, as follows:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Liability shall be denied and no recovery shall be allowed against the owners licensees and operators of any visual or sound radio and television station or network of stations or against the agents servants or employes of such owner licensee or operator for the publication utterance or broadcasting of any defamatory matter where the publication utterance or broadcasting thereof is not subject to their censorship or control by reason of any Federal statute or any regulation ruling or order of the Federal Communications Commissions

Section 2 All actions for damages which have accrued in cases in which liability is denied as set forth in section one of this act shall be commenced within sixty days after the effective date of this act and if not so commenced shall thereafter be completely barred

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon its final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Van Sant.

The SPEAKER pro tempore. Will the gentleman from Lehigh, Mr. Van Sant, permit himself to be interrogated?

Mr. VAN SANT. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, would the gentleman please explain the necessity of this bill? What does it add to the present law of Pennsylvania, if anything?

Mr. VAN SANT. Mr. Speaker, in recent years under a federal act passed by the Congress of the United States, a Federal Communications Commission Act has been changed. No longer does a radio station have the power to censor any radio broadcast. The station, of course, is operated in the public interest, convenience and necessity and is available alike to all who have a message of public interest. Therefore, anyone can demand broadcast time; but since the station has no nower of censorship, we do not feel that they should be held liable for any remarks of the speaker.

Mr. READINGER. Mr. Speaker, do I understand the gentleman to say that under the FCC regulations in the federal law the stations have no power of censorship?

Mr. VAN SANT. That is right, Mr. Speaker.

Mr. READINGER. Mr. Speaker, none whatsoever?

Mr. VAN SANT. Mr. Speaker, to the best of my knowledge, they have no power of censorship.

Mr. READINGER. Mr. Speaker, I thank the gentleman. Mr. Speaker, I doubt very much the correctness of the gentleman's answer, that a broadcasting or televison station has no power whatsoever of censorship over a broadcast. I think the gentleman probably would be more correct if he would say that the federal regulations prohibit a station from censoring certain programs, such as a political speech by a candidate, for example. Unless I am entirely wrong in my conception of the law of Pennsylvania, there are certain cases—and many of them—in which a broadcasting company can demand a copy of a speech to be given or a play to be produced. And if it deems it not fit or slanderous in some manner, it can rule it off.

I think the law of Pennsylvani is now that if a broadcasting company is not guilty of malice in helping to produce a slander over its program, or is not guilty of negligence in allowing it to be done, it cannot be held liable in damages to anybody. And certainly if a federal regulation made under the law regulating these companies forbids censorship of certain types, as this bill expressly sets forth, I fail to see how anybody or any company could be held liable for damages for doing exactly what the law says it must do.

I had hoped that perhaps some reasons might be advanced for the need for this bill which is not now embodied in the present law of Pennsylvania. But I have not seen any evidence of a need for this and therefore I think it should be voted down.

There are times when we write in the statutory law the common law of this state as embodied in the Supreme and Superior Courts' decisions; but on a matter of this kind which, to me has been well defined by the courts, I think we had better not venture into this field and we had better let the law the way it is.

Mr. TOMPKINS. Mr. Speaker, I am inclined to believe that the statement of the gentleman from Lehigh was a little broad. The federal statute which he speaks about involves political candidates only.

Under the federal statute, political candidates are to be given radio or television time without censorship. There are some cases, of course, where local broadcasting stations do reserve that right. Nevertheless, if they do censor it and a complaint is made to that effect under the FCC regulations, they may lose their license. If they do not censor it and a candidate makes some remark that might be libelous, then the radio stations can become involved in a lawsuit.

I will agree with the gentleman from Berks, Mr. Readinger, that we do have some judicial opinion in this state relating to the lack of malice on the part of a broadcasting station. That, however, does not prevent the broadcasting station from being made a party to the suit in defending itself in court in order to show there was a lack of malice where it involved political candidates.

We come down to the rather anomalous situation that if they insist upon censoring the candidates' broadcast, they are subject to a probable loss of their license. If they do not censor the broadcast and a libelous statement is made, the station may be sued.

Now this is a limitation only of protection to the broadcasting station in connection with political candidates' speeches. And under the FCC ruling, where a political broadcast is made, the opposition must be given equal time and opportunity to answer it.

This bill is designed to enact into law, such as Mr. Readinger has said, judicial opinion of this state, although it is not common law, yet at the same time it is judicial opinion and to give the broadcasting stations the additional advantage of not having to be brought into court in a lawsuit in order to defend the fact that they were without malice or with malice, or what have you, when such a speech is made. It is already the law in 22 states of the United States, and I have word today the State of Ohio just yesterday passed this law finally in the Senate of the State of Ohio, which makes it the twenty-third State in the Union to have such a law in order to protect those broadcasting stations.

We feel it is good legislation in order to clarify the atmosphere and we have asked that this bill be voted into law.

Mr. ANDREWS. Mr. Speaker, as a member of the jury who has listened to the lawyer's contend I must for at least once agree with the gentleman from Cameron, no matter how much I regret disagreeing with the Member from Berks.

I have occasion to make frequent use of radio, and of course the gentleman from Cameron is right when he says that stations have a right to censor much of the material that comes to them. If you are offending any of the rules and regulations of the federal body they can cut you off right in the middle of a broadcast, or if you use certain offensive words that are prohibited by federal regulations, they can stop you.

But it is true that when I speak as a candidate, if the station has given time to my opponent then I can demand time for myself, and I am not required to submit script in advance to the radio station and they cannot stop me and they cannot censor me, unless I use words that are prohibited over the air by the federal controlling body. To save the broadcast station the annoyance of suits that could be brought, I believe I shall render the verdict as a member of the jury that this bill is desirable legislation.

Mr. READINGER. Mr. Speaker, much as we revere the jury system in this United States the juries in times past have been wrong, and I think are wrong today.

At the risk of appearing redudant in this matter I would like to repeat, that if any radio or television station follows the federal law, or a lawful regulation made by the federal government and in doing so allow somebody to make a statement over the radio or television which is slanderous, they cannot be held liable under Pennsylvania law for damages.

We speak here today about the annoyance of suits and so forth. This bill does not prohibit a suit against the station. If this thing happens it simply says there shall be no liability. I say to you that any time one of our citizens, or a broadcasting company or anybody else is obeying the federal law which applies to all of us, he cannot be held liable under a state law for doing so. If the law were otherwise we would have a terrific conflict and we would not know whether to obey the federal laws or the state laws.

But as you know we are all bound by federal law and if we follow it we cannot be held liable. I say there is no need for this bill. In my opinion it will not do any harm, but there is just no need for it. I am opposed to passing

bills here which say the same thing as the present law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—134

Andrews,	Flynn,	Lutty,	Shotwell,
Ashton,	Frost,	Maguire,	Snider,
Auker,	Geer,	Mahan,	Spencer,
Banker,	Gibson,	Markley,	Stank,
Barkdoll,	Gleason,	Mathews,	Stevenson,
Baumunk,	Goodling,	McCullough,	Stimmel,
Bear,	Gramlich,	McInroy,	Stone,
Blair,	Greenwood,	Metz,	Stoner,
Bolton,	Gutendorf,	Mikula,	Strausser,
Bomberger,	Guthrie,	Miller,	Sucher,
Boory,	Hall,	Monroe,	Thompson,
Bower,	Hamilton, W. H.,	Moody,	Tompkins,
Breth,	Haudenshield,	Moore,	Toomey,
Brown,	Helm,	Moscrip,	VanSant,
Buchanan,	Hewitt,	Munley,	Varner,
Bullen,	Hocker,	Murray, P. G.,	Vaughan,
Capano,	Johnson,	Naugle,	Wall,
Cianfrani,	Jones, Geo. E.,	Ogilvie,	Waterhouse,
Clapper,	Jones, Gran'le E.	Parlante,	Weidner,
Comer,	Jones, Paul F.,	Peifly,	Wescott,
Connelly,	Jones, T. H. W.,	Peta,	Whalley,
Cooper,	Jump,	Phillips,	Wheeler,
Davis,	Kamyk,	Polaski,	White,
Dougherty,	Keller,	Polen,	Willaredt,
Down,	Kent,	Price,	Williams,
DuBois,	Kerlin,	Quisenberry,	Wilt,
Dunn,	Kohl,	Ragot,	Wood,
Erb,	Kolankiewicz,	Reagan,	Worley,
Ewing,	Kratz,	Richter,	Yeakel,
Farabaugh,	Kromer,	Royer,	Young,
Ferster,	Lafore,	Rubin,	Ziegler,
Flack,	Leisey,	Schmidt,	Smith, C. C.,
Fleischman,	Light,	Scott,	Speaker
Floyd,	Lippincott,	Shoemaker,	

NAYS—43

Bucchin,	Jim,	Moran,	Taylor,
Cioffi,	Kubacki,	Muldowney,	Toll,
Curwood,	Leonard,	Murray, J. J.,	Verona,
Downey,	Leven,	Musto,	Wallace,
Filo,	Lopresti,	Petrosky,	Walsh,
Glick,	Lovett,	Poltenstein,	Wargo,
Guss,	McCann,	Readinger,	Welsh,
Hamilton, R. K.,	McCormack,	Rovansek,	Whitenight,
Harris,	McDermit,	Sarraf,	Yetzer,
Hoggard,	McWherter,	Seyler,	Zeitz,
Ide,	Mills,	Smith, W. B.,	

NOT VOTING—30

Adam,	Coyle,	Maxwell,	Reidenbach,
Alexander,	Fenrich,	McGee,	Rosen,
Amarando,	Hersch,	Mihm,	Schuster,
Bazin,	Jenkins,	Needham,	Schwartz,
Boies,	Kline,	Olsen,	Thomas,
Breisch,	Kornick,	Pettigrew,	Varallo,
Cochran,	Lederer,	Pfaff,	Watkins,
Conner,	Limper,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 504, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-nine thousand eight hundred sixty-five dollars ($139,865) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Eemployes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of thirty-seven thousand nine hundred ninety-six ($37,996) and to the credit of the Contingent Reserve Account the sum of one hundred one thousand eight hundred sixty-nine dollars ($101,869)

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I would like to ask the sponsor of the bill what is meant by it. I never remember of a bill like this during my entire time as a Member.

The SPEAKER (pro tempore). Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker. What does the gentleman want to know?

The SPEAKER (pro tempore). Will the gentleman from Westmoreland tell the gentleman from Erie what he wants to know?

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman to please explain just exactly why we have to have this bill. I never remember of a bill like this before, and I just can't fathom why such a bill is needed.

Mr. WATERHOUSE. Mr. Speaker, may I ask the gentleman which bill he is inquiring about. I was consulting my physician and I am really not up on this legislation.

The SPEAKER (pro tempore). We are now on House Bill 504, Printer's No. 148.

Mr. WATERHOUSE. In reply to the gentleman, Mr. Speaker, I really could not answer that question. That bill was given to me and I do not know what it is all about. I hope that answers the question.

Mr. JOHNSON. Mr. Speaker, I will endeavor to answer the question. This session we have had numerous bills of this nature wherein we transfer from the various funds to the retirement fund the contribution of that fund to the retirement fund to take care of the state's share of the employes retirement annuities. We have had them out of the fish fund, out of the game fund, out of the banking fund, out of the manufacturers fund, and here is an instance where the State Workmens Insurance Fund is matching the contribution of the employe which goes into the retirement fund. I would say it is a customary and usual bill every session and we do have a separate bill for practically every fund that is a separate fund from the general fund.

Mr. LOVETT. Mr. Speaker, I want to thank the gentleman from Erie on his frank remarks and explanations of the bills. In the second place I want to say to the Majority Leader that to my knowledge we have never had such bills—maybe I am a little lax at times—but to my knowledge I do not remember a bill such as this before the Legislature.

Mr. SARRAF. Mr. Speaker, on all future bills those

who want a little treatment please step back here into this row 168 is the number.

On the question recurring,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Sarraf,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Ziegler,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Smith, C. C.,
Frost,	Maguire,	Schmidt,	Speaker
Geer,	Mahan,		

NAYS—2

Toll,	Welsh,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 705, as follows:

An Act to amend Clause (c) of Section 2411 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting the furnishing and erecting on Commonwealth property of certain prefabricated houses or custom-built houses without appointment of and contract with an architect and without approval of the State Art Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of Section 2411 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Norman Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 2411 Preparation of Plans and Specifications and in Anticipation of Requests for Appropriations The Department of Property and Supplies shall have the power out of funds appropriated to it for the purpose to cause plans and specifications for and estimates of the cost of State buildings or alterations or additions to the same to be prepared prior to the meeting of the General Assembly The procedure shall be as follows

* * * * *

(c) The Department of Property and Supplies shall enter into a contract with the architect thus appointed and approved Such contract shall provide a date within which the plans and specifications must be completed that the plans and specifications must be appproved by all agencies whose approval was necessary for the selection of the architect that the exterior design of the building must be appproved by the State Art Commission that the specifications must be approved by the Department of Property and Supplies and that the plans and specifications must be approved by the Department of Labor and Industry and the Department of Health to the extent to which those departments respectively have jurisdiction to require the submission to them for approval of certain features of the building The appointment of and contract with an architect and the approval of the State Art Commission shall not be required for the furnishing and erecting on Commonwealth property of prefabricated or custom-built houses for residential purposes of which the completion cost is thirty thousand dollars ($30,000) or less The Department of Property and Supplies shall not be required to enter into a contract with an architect for the furnishing and erecting on Commonwealth property of prefabricated houses and custom-built houses of equal quality thereto for residential purposes of which the com-

pletion cost is thirty thousand dollars ($30,000) or less

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—153

Andrews,	Gramlich,	Mikula,	Shoemaker,
Ashton,	Greenwood,	Miller,	Shotwell,
Auker,	Guthrie,	Mills,	Smith, W. B.,
Banker,	Hall,	Monroe,	Snider,
Barkdoll,	Hamilton, W. H.,	Moody,	Spencer,
Baumunk,	Haudenshield,	Moore,	Stank,
Bear,	Helm,	Moran,	Stevenson,
Bolton,	Hewitt,	Moscrip,	Stimmel,
Bomberger,	Hocker,	Muldowney,	Stoner,
Boory,	Jim,	Munley,	Strausser,
Bower,	Johnson,	Murray, J. J.,	Sucher,
Breisch,	Jones, Geo. E.,	Murray, P. G.,	Thompson,
Breth,	Jones, Paul F.,	Naugle,	Tompkins,
Brown,	Jones, T. H. W.,	Needham,	Toomey,
Buchanan,	Kamyk,	Ogilvie,	Varner,
Bullen,	Keller,	Parlante,	Vaughan,
Capano,	Kent,	Peifly,	Verona,
Cianfrani,	Kerlin,	Peta,	Wall,
Clapper,	Kolankiewicz,	Petrosky,	Walsh,
Connelly,	Kornick,	Pettigrew,	Wargo,
Cooper,	Kratz,	Phillips,	Waterhouse,
Davis,	Kromer,	Polaski,	Weidner,
Dougherty,	Lafore,	Polen,	Wescott,
Down,	Leisey,	Price,	Whalley,
Downey,	Leonard,	Ragot,	Wheeler,
DuBois,	Leven,	Readinger,	Whitenight,
Dunn,	Light,	Reagan,	Willaredt,
Erb,	Limper,	Reidenbach,	Williams,
Ewing,	Lippincott,	Richter,	Wilt,
Ferster,	Lutty,	Rosen,	Wood,
Filo,	Mahan,	Rovansek,	Worley,
Flack,	McCann,	Royer,	Yeakel,
Fleischman,	McCormack,	Rubin,	Yetzer,
Floyd,	McCullough,	Sarraf,	Young,
Flynn,	McInroy,	Schmidt,	Zeitz,
Frost,	McWherter,	Schuster,	Ziegler,
Geer,	Metz,	Schwartz,	Smith, C. C.,
Gibson,	Mihm,	Scott,	Speaker
Gleason,			
Goodling,			

NAYS—31

Alexander,	Glick,	Kohl,	Seyler,
Bazin,	Guss,	Kubacki,	Stone,
Blair,	Hamilton, R. K.,	Lovett,	Taylor,
Bucchin,	Harris,	Markley,	Toll,
Cioffi,	Hoggard,	McDermit,	Wallace,
Comer,	Ide,	Musto,	Welsh,
Conner,	Jones, Gran'le E.	Poltenstein,	White,
Curwood,	Jump,	Quisenberry,	

NOT VOTING—23

Adam,	Fenrich,	Lopresti,	Pfaff,
Amarando,	Gutendorf,	Maguire,	Thomas,
Boies,	Hersch,	Mathews,	VanSant,
Cochran,	Jenkins,	Maxwell,	Varallo,
Coyle,	Kline,	McGee,	Watkins,
Farabaugh,	Lederer,	Olsen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the boards of school directors and boards of publication to pay the compensation of professional employes employed as exchange teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding at the end thereof the following new section

Section 522 Payments of Salaries of Professional Employes Granted Leaves of Absence as Exchange Teachers Authorized Any board of public education or board of school directors of any school district or vocational school district of this Commonwealth is hereby authorized in its discretion to make such payments of compensation as it may deem advisable to any of its professional employes granted a leave of absence to serve as an exchange teacher in any foreign country or territory or possession of the United States of America

Any professional employe while on leave as an exchange teacher shall be considered to be in regular full-time daily attendance in the position from which the leave was granted during the period of said leave for the purpose of determining the employe's length of service credit toward the time necessary for a sabbatical leave the right to receive increments as provided by law and the right to make contributions as a member of the School Emoplyes' Retirement Fund and continue his or her membership therein

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Mathews,	Schwartz,
Alexander,	Gleason,	Maxwell,	Scott,
Amarando,	Glick,	McCann,	Seyler,
Andrews,	Goodling,	McCormack,	Shoemaker,
Ashton,	Gramlich,	McCullough,	Shotwell,
Auker,	Greenwood,	McDermit,	Smith, W. B.,
Banker,	Guss,	McGee,	Snider,
Barkdoll,	Gutendorf,	McInroy,	Spencer,
Baumunk,	Guthrie,	McWherter,	Stank,
Bazin,	Hall,	Metz,	Stevenson,
Bear,	Hamilton, R. K.,	Mihm,	Stimmel,
Blair,	Hamilton, W. H.,	Mikula,	Stone,
Boies,	Harris,	Miller,	Stoner,
Bolton,	Haudenshield,	Mills,	Strausser,
Bomberger,	Helm,	Monroe,	Sucher,
Boory,	Hersch,	Moody,	Taylor,
Bower,	Hewitt,	Moore,	Thomas,
Breisch,	Hocker,	Moran,	Thompson,
Breth,	Hoggard,	Moscrip,	Toll,
Brown,	Ide,	Muldowney,	Tompkins,
Bucchin,	Jenkins,	Munley,	Toomey,
Buchanan,	Jim,	Murray, J. J.,	VanSant,
Bullen,	Johnson,	Murray, P. G.,	Varallo,
Capano,	Jones, Geo. E.,	Musto,	Varner,
Cianfrani,	Jones, Gran'le E.	Naugle,	Vaughan,
Cioffi,	Jones, Paul F.,	Needham,	Verona,
Clapper,	Jump,	Ogilvie,	Wall,
Cochran,	Kamyk,	Olsen,	Wallace,
Comer,	Keller,	Parlante,	Walsh,
Connelly,	Kent,	Peifly,	Wargo,
Conner,	Kerlin,	Peta,	Waterhouse,
Cooper,	Kline,	Petrosky,	Watkins,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,

Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,	Schuster,	

NAYS—1

Jones, T. H. W.,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98, and
House Bill No. 816, Printer's No. 99

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 817, as follows:

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" by extending the provisions of the additional tax for a limited time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" is hereby amended to read as follows

Section 4 Imposition of Tax Exemptions A permanent excise tax at the rate of three cents ($.03) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth And provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department

In addition to such tax an additional State excise tax of two cents ($.02) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty-two and ending on the thirty-first day of May one thousand nine hundred [fifty-three] fifty-five

Section 2 This act shall become effective on the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gleason,	Markley,	Schuster,
Amarando,	Glick,	Mathews,	Schwartz,
Andrews,	Goodling,	Maxwell,	Scott,
Ashton,	Gramlich,	McCann,	Seyler,
Auker,	Greenwood,	McCormack,	Shoemaker,
Banker,	Guss,	McCullough,	Shotwell,
Barkdoll,	Gutendorf,	McDermit,	Smith, W. B.,
Baumunk,	Guthrie,	McGee,	Snider,
Bazin,	Hall,	McInroy,	Spencer,
Bear,	Hamilton, R. K.,	McWherter,	Stank,
Blair,	Hamilton, W. H.,	Metz,	Stevenson,
Boles,	Harris,	Mihm,	Stimmel,
Bolton,	Haudenshield,	Mikula,	Stone,
Bomberger,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Thompson,
Bucchin,	Jenkins,	Moscrip,	Toll,
Buchanan,	Jim,	Muldowney,	Tompkins,
Bullen,	Johnson,	Munley,	Toomey,

Capano,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Clapper,	Jones, Paul F.,	Musto,	Varner,
Cochran,	Jones, T. H. W.,	Naugle,	Vaughan,
Comer,	Jump,	Needham,	Verona,
Connelly,	Kamyk,	Ogilvie,	Wall,
Conner,	Keller,	Olsen,	Wallace,
Cooper,	Kent,	Parlante,	Walsh,
Coyle,	Kerlin,	Peifly,	Wargo,
Curwood,	Kline,	Peta,	Waterhouse,
Davis,	Kohl,	Petrosky,	Watkins,
Dougherty,	Kolankiewicz,	Pettigrew,	Weidner,
Down,	Kornick,	Pfaff,	Welsh,
Downey,	Kratz,	Phillips,	Wescott,
DuBois,	Kromer,	Polaski,	Whalley,
Dunn,	Kubacki,	Polen,	Wheeler,
Erb,	Lafore,	Poltenstein,	White,
Ewing,	Lederer,	Price,	Whitenight,
Farabaugh,	Leisey,	Quisenberry,	Willaredt,
Fenrich,	Leonard,	Ragot,	Williams,
Ferster,	Leven,	Readinger,	Wilt,
Filo,	Light,	Reagan,	Wood,
Flack,	Limper,	Reidenbach,	Worley,
Fleischman,	Lippincott,	Richter,	Yeakel,
Floyd,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—3

Alexander,	Cioffi,	Schmidt,

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 818, as follows:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combusion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 485) is hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional State tax of two cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period beginning [on] the first day [this act becomes effective] of July one thousand nine hundred thirty-five and ending on the thirty-first day of May one thousand nine hundred [fifty-three] fifty-five

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,

Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 819, as follows:

An Act to further amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as temporarily amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2028) is hereby further amended to read as follows

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on liquid fuels delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for such refunds shall be made under the procedure prescribed by The Fiscal Code

Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products shall be reimbursed one-half the amount of such tax

All such claims for reimbursement shall be made upon a form to be furnished by the Board of Finance and Revenue and shall include in addition to such other information as the board may by regulation prescribe the name and address of the claimant the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed a description of the farm machinery in which such liquid fuels have been used and the purposes for which such machinery has been used the size of the farm and part thereof in cultivation on which such liquid fuels have been used Each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted that records of the amounts of such fuels used in each piece of farm machinery have been kept and that no part of such claim has been paid except as stated Each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimant's knowledge and shall be signed by the claimant or the person claiming on his behalf Every claim shall be accompanied by receipts indicating that the liquid fuels tax was paid on the liquid fuels for which reimbursement is claimed All records of purchases of liquid fuels and use in each tractor or powered machinery shall be kept for a period of two years Every such claim shall be made annually for the preceding year ending on the thirtieth day of June and shall be submitted to the Board of Finance and Revenue not later than the thirtieth day of September of each year and the board shall refuse to consider any claim received or post-marked later than such date The claimant shall satisfy the board that he has paid the tax and that the liquid fuels have been consumed by him [in the operation of a tractor or piece of powered machinery for purposes relating to the actual production of farm products] for purposes for which reimbursements are permitted under this section The board may require any claimant to furnish such further information proof or fuller explanation as it shall deem necessary The action of the Board of Finance and Revenue in granting or refusing reimbursement shall be final The board shall deduct the sum of one dollar and fifty cents ($1.50) which shall be considered as a filing fee from every claim for reimbursement granted Such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act The Board of Finance and Revenue shall have the power to refer to the Department of Revenue for investigation any claim for reimbursement filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto Any person making any false or fraudulent statement for the purpose of obtaining reimbursement shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or to undergo imprisonment for not more than six (6) months or both

All refunds and reimbursements of moneys allowed hereunder shall be paid from the Motor License Fund

and the Liquid Fuels Tax Fund in amounts equal to the original distribution and payment of such moneys into said funds Provided however That reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purposes relating to the actual production of farm products shall be paid out of the Motor License Fund

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds and reimbursements as herein authorized Estimates of the amounts to be expended from these funds for refunds and reimbursements from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

The provisions of this section relating to partial reimbursement of taxes paid on liquid fuels consumed in the operation of tractors and powered machines for purposes relating to the actual production of farm products shall apply only to liquid fuels purchased on and after the first day of July one thousand nine hundred forty-nine and before the thirtieth day of June one thousand nine hundred fifty-five

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 822, Printer's No. 150 and

House Bill No. 889, Printer's No. 136,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consodidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioner in any township by reason of death resignation removal from the township or ward or otherwise the board of township commissioners of such township shall fill such vacancy by appointing by resolution a registered voter of the ward or township as the case may be in which the vacancy occurs If the board of township commissioners of any township shall refuse fail or neglect or be unable for any reason whatsoever to fill such vacancy within thirty (30) days after the vacancy occurs then the court of quarter sessions shall upon the petition of twenty registered voters of the ward or township as the case may be in which the vacancy occurs appoint a registered voter of the township to fill the vacancy In either event the person so appointed shall hold office [until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a township commissioner shall be elected] for the unexpired term of the person whose place he is [elected] apointed to fill

Section 532 Township Treasurer and Controller The board of township commissioners may fill any vacancy occurring in the office of township treasurer or township controller by death resignation removal from the township or otherwise The person so appointed shall hold office [until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a treas-

urer or controller shall be elected] for the unexpired term of the person whose place he is [elected] oppointed to fill

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Adam,	Gibson,	Lutty,	Royer,
Alexander,	Gleason,	Maguire,	Rubin,
Amarando,	Glick,	Mahan,	Schmidt,
Andrews,	Goodling,	Markley,	Schuster,
Ashton,	Gramlich,	Mathews,	Schwartz,
Auker,	Greenwood,	Maxwell,	Scott,
Banker,	Gutendorf,	McCann,	Shoemaker,
Barkdoll,	Guthrie,	McCormack,	Shotwell,
Baumunk,	Hall,	McCullough,	Snider,
Bazin,	Hamilton, W. H.,	McGee,	Spencer,
Bear,	Harris,	McInroy,	Stevenson,
Blair,	Haudenshield,	McWherter,	Stimmel,
Boles,	Helm,	Metz,	Stoner,
Bolton,	Hersch,	Mihm,	Strausser,
Bomberger,	Hewitt,	Mikula.	Sucher,
Boory,	Hocker,	Miller,	Thompson,
Bower,	Hoggard,	Mills,	Toll,
Breisch,	Ide,	Monroe,	Tompkins,
Breth,	Jenkins,	Moody,	Toomey,
Brown,	Jim,	Moore,	VanSant,
Bucchin,	Johnson,	Moscrip,	Varallo,
Buchanan,	Jones, Geo. E.,	Muldowney,	Varner,
Bullen,	Jones, Gran'le E.,	Munley,	Vaughan,
Capano,	Jones, Paul F.,	Murray, J. J.,	Verona,
Clapper,	Jones, T. H. W.,	Murray, P. G.,	Wall,
Cochran,	Jump,	Naugle,	Wargo,
Comer,	Kamyk,	Needham,	Waterhouse,
Connelly,	Keller,	Ogilvie,	Watkins,
Conner,	Kent,	Olsen,	Weidner,
Cooper,	Kerlin,	Parlante,	Wescott,
Coyle,	Kline,	Peifly,	Whalley,
Davis,	Kohl,	Peta,	Wheeler,
Dougherty,	Kolankiewicz,	Petrosky,	White,
Down,	Kornick,	Pettigrew,	Willaredt,
Downey,	Kratz,	Pfaff,	Williams,
Dunn,	Kromer,	Phillips,	Wilt,
Erb,	Kubacki,	Polaski,	Wood,
Ewing,	Lafore,	Polen,	Worley,
Fenrich,	Lederer,	Price,	Yeakel,
Ferster,	Leisey,	Quisenberry,	Young,
Filo,	Leonard,	Ragot,	Zeitz,
Flack,	Leven,	Reagan,	Ziegler,
Fleischman,	Light,	Reidenbach,	Smith, C. C., Speaker
Frost,	Limper,	Richter,	
Geer,	Lippincott,	Rosen,	

NAYS—29

Cianfrani,	Hamilton, R. K.,	Readinger,	Taylor,
Cioffi,	Lopresti,	Rovansek,	Thomas,
Curwood,	Lovett,	Sarraf,	Wallace,
DuBois,	McDermit,	Seyler,	Walsh,
Farabaugh,	Moran,	Smith, W. B.,	Welsh,
Floyd,	Musto,	Stank,	Whitenight,
Flynn,	Poltenstein,	Stone,	Yetzer,
Guss,			

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, as follows:

An Act to amend clause (3) of Section 5 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by removing the five year financial experience requirement as to obligations of authorities constructing public school buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (3) of Section 5 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended to read as follows

Section 5 Obligations of Pennsylvania Governmental Organizations Obligations of the following Pennsylvania governmental organizations shall be authorized investments

* * * * *

(3) Municipality Authorities Obligations of any municipality authority issued pursuant to the laws of the Commonwealth relating to the creation of operation of municipality authorities if the obligations are not in default and if for the period of five fiscal years next preceding the date of acquisition the income of such authority available for fixed charges has averaged not less than one and one-fifth times its average annual fixed charges of such obligations over the life of such obligations As used in this clause the term "income available for fixed charges" shall mean income after deducting operating and maintenance expenses and unless the obligations are payable in serial annual maturities or are supported by annual sinking fund payments depreciation but excluding extraordinary non-recurring items of income or expenses and the term "fixed charges" shall include principal both maturity and sinking fund and interest on bonded debt In computing such income available for fixed charges for the purposes of this section the income so available of any corporation acquired by any municipality authority may be included such income to be calculated as though such corporation had been operated by a municipality authority and an equivalent amount of bonded debt were outstanding

The eligibility for investment purposes of obligations of each project of a municipality authority shall be separately considered hereunder and if the project of a municipality authority is a public school building no earning record shall be required as a condition of eligibility for investment by fiduciaries

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, I would like to state the reasons why I find it necessary to oppose this bill.

The law that is being amended here in fiduciary law, the main purpose of which, of course, is protection for those funds which are entrusted to fiduciaries. The purpose of the bill is to liberalize the requirements of the Fiduciary. Act so as to make it possible for them to purchase the bonds of local authorities constructing public school buildings.

I think it is quite possible that this bill might be to the advantage of the local authorities of local school districts in this respect. However, as I pointed out, that is not the main purpose of the act that is being amended. I do not think that the bonds of those authorities are a suitable investment in all cases for this kind of funds.

Experience shows that in bad times there were school districts forced to default, many of whom did not have the funds with which to pay salaries and other operating expenses, therefore, of necessity were unable to meet their obligations. It is in just such a time that the person who is sponsor-protected needs the most protection. It is just at that time when this kind of protection would fail in this sort of investment.

For that reason, although I think the intent of the bill which the sponsors had was to benefit the districts, I think from the standpoint of fiduciaries, it would not be the best. Therefore, I am opposed to the bill.

Mr. LOPRESTI. Mr. Speaker, I would like to say a few short words in support of the bill. Under the present law we have a requirement making it necessary to have five years' financial experience. Authorities such as these public school building authorities invariably can not present five years of experience because they are newly created, and the chances are they have only one venture, one building and then they are through. While there have been times when municipal bonds have been in default, I do not believe any person in this group can mention one time that a municipality has not, in the final analysis, paid off. Whereas other bonds, of a commercial nature, through bankruptcies and one way and another, have at different times failed to pay off. The type of security as furnished by a public school authority is the kind of security that a great many trusts want. They are particularly proud of municipal bonds and authority bonds because of the fact that their past record of performance has been excellent. I do not feel that we should penalize either the purchasers of these bonds who want to buy them because they do not have a five-years' experience clause, and on the other hand I do not think we should penalize the authority by not being able to have those additional bidders when they are ready to sell their bonds.

I think, personally, this is a good bill, I do not think it endangers the security of the fiduciary at all, and I think it is a good bill for which to vote.

Mr. GOODLING. Mr. Speaker, I regret that I have to disagree with my colleague from York, Mr. Seyler, but I want to point out to him that fiduciaries are not forced under this bill to buy these securities. After all, money is their business, and I have confidence in most of them that they do a good job. I want to remind him that before these bonds are ever issued they are given a great deal of consideration and a great deal of thought.

In the first place the project must be approved by our Department of Public Instruction; it must be approved by the board within the county in which the project is to be built; it must be approved by the local attorney, who in turn calls in a so-called bond attorney, and there are only a few of them in Pennsylvania. They have made a study of bonds all their life. Then, finally, the bonding house that sells these bonds certainly is not going to put up this amount of money unless they are definitely sure that they are going to get a return on their investment also.

As the gentleman from Cambria pointed out, this bill will definitely help local school boards. It is definitely going to help the people who are interested in buying these bonds, I think, because as he stated, they are definitely tax-free, which is quite an incentive to buy them, and from every standpoint I think it is a very sound bill. I do not see that any person stands any great chance of losing through the purchase of these bonds. I respectfully request all the Members of the House to vote for this bill.

Mr. SEYLER. Mr. Speaker, there have been some arguments made that I would like to attempt to answer.

In the first place, the argument was made by the gentleman from Cambria that these bonds will probably be paid off eventually. Of course that is true, and it is precisely the reason why large investors can afford to take them.

However, if they do not pay off for several years, that cuts off the income of the people who are being protected by the trust funds. In other words the people who derive income from the trust funds do not need that income eventually, they need the income currently. That is one reason why I object to it.

The point has been made by my colleague from York that the bonds are very safe because various people pass on them. Well now, we all know that the purpose of the authority is to enable the local municipality to raise money which the Legislature refuses to allow the district to borrow. It is only because the borrowing power of the local school district is limited by the Legislature in its wisdom that we avoid defaulting and that we have authorities. The authority is the way of circumventing that limitation, and there had been many cases in which school districts, without this authority angle, have been unable to meet their ordinary borrowing capacity under the regular law during depression times.

Then the argument that fiduciaries are not forced to buy, strikes me to be beside the point. The whole purpose of the Fiduciaries Act is to set a legal standard. Using the same argument that the gentleman advanced, perhaps we should do away with all the laws restricting fiduciaries from buying if he has such supreme confidence in them that they will not make anything but wise investments.

The whole thing in the Fiduciaries Act, in this section, is to see that they do not buy certain things. In other words, we have not been willing to rely upon their wisdom.

Therefore it still seems to me, in spite of the arguments advanced, that the bill is not a safe one, and I will therefore oppose it.

Mr. AUKER. Mr. Speaker, I am going to oppose the bill simply because I think it is another step in the same direction of making it too easy for school districts to build the palaces they are building today.

I realize that that may be opening the thing up to a very wide field, but I believe that school districts should be able to show through their local citizenry, and through their local taxes on real estate, that they are able to bear their rightful burden for their own school buildings the same as any other person or company or municipality has the right to show.

It seems to me that we are just taking a step a little bit in the same direction that we have taken in the last four years of encouraging the school districts, especially in the third and fourth class districts, to go overboard on the school buildings that they are erecting.

Therefore, I am going to vote against the bill.

Mr. LOVETT. Mr. Speaker, there is one question in my mind on bills of this type, protecting and making it easy for the authorities to secure the bonds to build the buildings, not only the school authority but in your general state authority and in other authorities. I think we will find after the buildings are built that the school boards, or the particular institutional district in which it has been built comes to Harrisburg the next session of Legislature asking for an increased appropriation in order to take care of the new buildings and stuff that we have made it so easy and so possible for them to create under the authorities.

That is the point that I am a little afraid of. I think the time has come when we should call a halt and say to these people, "Now, the state has given just about as much as it can afford to give. If you want to go into all this other construction, you find the revenue back home or somewhere else, because we are just not going to increase your appropriation."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Andrews,	Glick,	Lopresti,	Stimmel,
Ashton,	Goodling,	Maguire,	Royer,
Banker,	Gramlich,	Mahan,	Rubin,
Barkdoll,	Greenwood,	Markley,	Sarraf,
Baumunk,	Guss,	Mathews,	Schmidt,
Bear,	Gutendorf,	Maxwell,	Schuster,
Blair,	Guthrie,	McCann,	Schwartz,
Bolton,	Hall,	McCormack,	Scott,
Bomberger,	Hamilton, W. H.,	McCullough,	Shoemaker,
Boory,	Harris,	McGee,	Shotwell,
Bower,	Haudenshield,	McInroy,	Smith, W. B.,
Breisch,	Helm,	McWherter,	Snider,
Breth,	Hersch,	Metz,	Spencer,
Brown,	Hewitt,	Mihm,	Stevenson,
Buchanan,	Hocker,	Mikula,	Stoner,
Bullen,	Ide,	Miller,	Strausser,
Capano,	Jenkins,	Mills,	Sucher,
Clapper,	Jim,	Monroe,	Thompson,
Comer,	Johnson,	Moody,	Toomey,
Connelly,	Jones, Geo. E.,	Moore,	VanSant,
Conner,	Jones, Gran'le E.,	Moscrip,	Varallo,
Cooper,	Jones, Paul F.,	Muldowney,	Varner,
Davis,	Jones, T. H. W.,	Munley,	Verona,
Dougherty,	Jump,	Murray, J. J.,	Wall,
Down,	Kamyk,	Murray, P. G.,	Waterhouse,
Downey,	Keller,	Naugle,	Weidner,
DuBois,	Kent,	Needham,	Wescott,
Dunn,	Kerlin,	Ogilvie,	Whalley,
Erb,	Kohl,	Parlante,	Wheeler,
Ewing,	Kolankiewicz,	Peifly,	Whitenight,
Farabaugh,	Kornick,	Peta,	Willaredt,
Fenrich,	Kromer,	Pettigrew,	Williams,
Ferster,	Kubacki,	Phillips,	Wilt,
Filo,	Lafore,	Polaski,	Wood,
Flack,	Lederer,	Price,	Worley,
Fleischman,	Leisey,	Ragot,	Yeakel,
Floyd,	Leonard,	Readinger,	Yetzer,
Frost,	Leven,	Reagan,	Young,
Geer,	Light,	Reidenbach,	Ziegler,
Gibson,	Limper,	Rosen,	Smith, C. C., Speaker
Gleason,	Lippincott,	Rovansek,	

NAYS—29

Auker,	Lutty,	Seyler,	Vaughan,
Bucchin,	Moran,	Stank,	Wallace,
Cianfrani,	Musto,	Stone,	Walsh,
Cioffi,	Polen,	Taylor,	Wargo,
Curwood,	Poltenstein,	Thomas,	Welsh,
Hamilton, R. K.,	Quisenberry,	Toll,	White,
Kratz,	Richter,	Tompkins,	Zeitz,
Lovett,			

NOT VOTING—15

Adam,	Boles,	Hoggard,	Petrosky,
Alexander,	Cochran,	Kline,	Pfaff,
Amarando,	Coyle,	McDermit,	Watkins,
Bazin,	Flynn,	Olsen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 21, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain townships roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following route established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" is hereby amended to read as follows

Route 03004 Beginning at the Shrader's Grove Crossroads on Route 69 thence easterly and southeasterly in South Buffalo Township to a point on Route 378 at B S Van Dyke's Crossroads thence southerly along Knapp Run to a road intersection in Armstrong County a distance of about [2.0] 3.00 miles

Section 2 The provisions of this act shall become effective immediatly upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Varallo,
Bucchin,	Jenkins,	Muldowney,	Varner,
Buchanan,	Jim,	Munley,	Toll,

Bullen,	Johnson,	Murray, J. J.,	Tompkins,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, Granle E.	Musto,	VanSant,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Boise, for presiding, and commends him for a very excellent job.

PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address the House.

Mr. Speaker, just to clear the record, over the week end an Erie paper carried an article inferring that on the last day of last week's session at the last moment bills were reported to the floor of the House and it infers that there was some skulduggery afloat. I wish to assure whoever it was that got that impression that that was not the case.

These two bills came out of a regularly called and stated meeting of Municipal Corporations and were reported by the gentleman from Erie, Mr. Quisenberry, under perfectly regular routine. At the time this meeting was called, it was not the intention of any of us or our idea that we would adjourn on Tuesday.

The statement said that the intent was that the bills would lay quietly, no one knowing they were out until Monday, then Monday they would get first reading, Tuesday, second, and Wednesday they would become law without anyone ever having a chance to do anything about it.

I think it was a direct slap at the Committee. I think it was a slap at the gentleman from Erie, Mr. Quisenberry. I think it was a slap at me and at the House in general—at the House leadership. I do not know where they got the information. They said most of the gentlemen of the Press had left and that it was only by the very diligent work of some representative of theirs that this was found out.

Just to clear the record I would like to say that these two bills certainly had regular treatment. There was no intention of trying to keep anything from anyone, they were not sleepers. It was just a regular piece of business. We just do not play that way.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I regret as you regret, as we will regret the delay that has been incident to this session. I admit and concede the right of the majority party to initiate and enact a legislative program, including of course a tax program. I respect your convictions as I have a right to expect that you respect our convictions.

You had elected to contend upon a field on which there can be no compromise. As long as it is within your power to enact a tax program by and through the members of the majority party, it is your responsibility so to do.

Up to the present time it would have been impossible for a minority party to enact a tax program, and up to the present time it has been impossible for the majority party to enact a tax program. Unless the situation changes the time must ultimately come when there will be a meeting of minds making possible enactment of a tax program which will adequately finance the needs of our Commonwealth.

We propose on this side to stay here until the needs of our educational system are properly financed; until our welfare program is properly financed; until our health program and all the essential activities promoted by and through the Commonwealth are adequately financed.

I do not maintain that in the future any one tax that may be submitted to this House will have the unanimous support of the minority, or the unanimous support of the majority. But I do maintain that by canvassing the possibilities it will ultimately be possible to bring about a meeting of minds that will make it possible for this House to furnish a constitutional majority for a tax program.

I do not blame the majority leadership for clinging to the hope that ultimately it may need to enact the sales tax. That may be possible but nothing that the Governor of this Commonwealth can do, nothing that the Majority Leader can do, nothing that the Speaker of this House can do, will change one single vote for the sales tax program.

We have been committed to such a program definitely since 1945. We have campaigned up and down this state on the appeal that we would not write into the tax structure of this Commonwealth a sales tax until the people of Pennsylvania had been given the opportunity to turn either a red light or a green light on a graduated income tax.

We do not propose as a party to recede from that position, and neither do we propose to sit here day after day, purely as a group devoted to the philosophy of negation. And as, if and until the majority elects to contend upon some field where compromise is possible, the present situation must continue. I repeat the field upon which you have elected to contend is a field upon which there can be and upon which there will be no compromise.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous permission to address the House.

Mr. Speaker, I might say at the outset that I appreciate the indulgence of the minority side while we on the majority side have been making a good faith attempt to pass a revenue program which will balance the Governor's budget so that we can have an early adjournment of this session. I realize that we have been working at this problem, I believe, it is now the fifth week. There were, of course, many parliamentary maneuvers that the minority could have thrown at us, shall I say, during this period when we have had illness on our side, and again I say I appreciate the indulgence of the other side while we have been trying to work out a program within our own family.

I realize there has been a delay in getting a revenue program on the calendar. We were at the outset delayed by the receipt of the so-called "Chesterman Report." We were delayed in the receipt of the Governor's "Tax Study Report." As soon as we received those two reports we on the majority side had quite a discussion of both the reports and the budget needs and the revenue problems.

I was surprised when the proposition came from our caucus, and it seemed to be spontaneous, wherein the Members on our side, the majority of them said: "Let us once and for all put a broad-base tax into the tax structure of Pennsylvania. Do a job and show the people of Pennsylvania that we on this side are able to give them a tax program which will for the next 25 years settle the financial affairs of this Commonwealth." Several of the Members said they felt that a sales tax was the only way that we can do it.

We were instructed to go ahead and introduce the program which was introduced in the House and, as I say, has been on this calendar.

I am not apologizing for the sales tax bill. I think it is a fair bill. I think it is a just bill. I think it is an equitable bill. It has given the man in the street in this Commonwealth finally once and for all an opportunity to share in the obligation of helping to support the many institutions of this Commonwealth.

The bill has been so amended and so drafted that the average person pays but very little under the bill. I have some figures to show that the average unskilled laboring man makes about $2100—that's a median salary. Skilled workers make a median of about $3200. By the time you deduct from their pay their shelter and their food, their respective medicines and the other things that are deducted in the bill, laundry and insurance premiums and all the various things that would not be taxed, the average unskilled laboring man would pay about $5 a year—I think it comes to $5.87 a year under the sales tax. And, of course, the person making more would pay a little bit more.

It seems to me that that is a slap on the wrist for the average person, which if they would pay that much, in the aggregate would go a long way toward helping to solve the financial problems of this Commonwealth.

I realize, and you all realize, too, that there is just a small group on our side that is looking at the problem a little differently and feel that perhaps it would not be the best thing for them in their districts to vote for this sales tax. Be that as it may, I repeat, I feel it is a good tax. I think it is a fair tax. It is a tax in most of the States—in fact some 28 or 31 States have adopted it, and I believe around 23 of them have been Democratic States. I think it is more a policy of Democratic State administration to adopt it than it is Republican. I believe there are about four Republican States that have a sales tax—somewhere in that neighborhood.

I am not going to say anything against the minority party because it is true it is up to the majority party to raise the revenue. It is our problem on the majority side. I think Mr. Andrews is going a long ways in saying to us that when we have finally exhausted our revenue raising propositions on this side he will be glad to sit down with us and try to compromise the matter.

I might say, too, that we have gone over the budget. I agree with Mr. Andrews, we must finance our schools; we must finance our hospitals, take care of our welfare institutions, amortize the $500 million dollars worth of bonds we have issued to pay the soldiers' bonus. Anybody that thinks that we can cut $150 million out of this budget and go home, does not realize that two and two make four. Of course, we could probably cut it ten percent; but we cannot cut ten percent from the 60,000 inmates in our state institutions and put them out on the street.

We have had a little taste of an austerity proposition here this week with the Senate not going along on the Welfare deficiency appropriation, and with the banks of this town offering to lend state workers money to tide them over because they have not been paid for the last month. If we cut that budget $150 million, that type of thing is just the beginning of what you will see here in the next two years.

Therefore, I say we need this money. We hoped to be able to adjourn the first of April, and a lot of the members would like to get out of here the 29th of May. But I think that that will be impossible until we have raised the revenue. We have the problem of not being able to be here during June on account of the hotel situation. But we are going to stay here, and we are going to try to solve this revenue problem.

Again I say I thank Mr. Andrews for coming forward with the suggestion that we try to get together. I know that the Members on the other side realize that there are hospitals in their counties, they have big school buildings and school programs in their communities that are democratic in their majority. They have to have money to run just as well as our Republican counties do. To finance these various institutions is just as much a problem of the minority as it is of the majority.

When the proper time comes, if it is necessary to have a compromise tax program, I certainly hope that we will be able to count on the Members on the other side to join with us in arranging the financial affairs of this Commonwealth.

PERMISSION TO ADDRESS HOUSE

Mr. POLASKI asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to clear the air a little bit on the statement made by Mr. Waterhouse, my distinguished colleague from the east side of Erie County.

As a matter of fact, the two House Bills in question about which he happens to be worried and I am con-

cerned about them, too, were released last week in the dying moments of the session. And since I had noticed that fact, I had procured copies of the two bills on Wednesday morning and sent them to the two local papers with some few notations; very objective, however. I merely stated fact that the bills were reported in the dying moments of the session. I did not wish in any way to infer or to place any construction on those facts.

However, I wish to point out to the gentleman that, faced with facts, it is the privilege of the press and radio to place any construction upon those facts they see fit.

PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address the House.

Mr. Speaker, it certainly was not my idea to leave any thought in the minds of the Members of this House that the gentleman from Erie, Mr. Polaski, knew anything about it. In fact, I did not know that he did. I do not know how they arrived at the idea they did and I want to assure the gentleman that I am very sorry if he thought that I thought he was undercutting the House, because that was not my idea. I merely wanted to clear the situation in the mind of whomever did think it was skulduggery on our part, because it was a regularly called meeting of the Committee, the bill was reported out, and it certainly was not the fault of the gentleman from Erie, Mr. Quisenberry, or myself or this House that we adjourned Tuesday instead of Wednesday. Frankly, I wish we would have had a session Wednesday.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to congratulate Members on both sides of the House on the fact that up to this time there has been a lack of recriminations and allegations that would be possible under the circumstances.

We have, I doubt not, persons of violent temper on our side of the House, and there is a possibility—a remote possibility I admit—that there are persons of some temper on your side of the House. It would have been quite possible for you to have risen and reviled us upon the position we take. You could have said some harsh things.

On a showdown whether you could have said any meaner things about us than I could have possibly said about you is a matter of opinion. I would have regretted a rough and tumble tangle on this floor But, members of the House, I would not have retreated from it.

I thank you for your consideration. I compliment the Members on this side for their decorum and I hope we can continue to respect our respective positions and travel along in the sweet fellowship that has characterized us up to this moment.

RESOLUTIONS

Mr. CLAPPER offered a resolution which was filed with the Clerk.

Mr. CONNER offered a resolution which was filed with the Clerk.

Mr. SCOTT offered a resolution which was filed with the Clerk.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 68, 70, 219, 325, 468, 474 and 489.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. THOMAS asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

ADJOURNMENT

Mr. WHITE. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 6, 1953, at 9:00 a.m. EST.

The motion was agreed to, and (at 5:46 p.m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

WEDNESDAY, May 6, 1953

The Senate met at 10:00 o'clock a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. L. HERDMAN HARRIS, III, Rector of St. James Memorial Church, Titusville, offered the following prayer:

O God, the Fountain of Wisdom, Whose statutes are good and gracious and Whose law is truth, we beseech Thee to guide and bless the Senate of this Commonwealth, that it may ordain for our governance only such things as please Thee. Enable those of its different parties to see that they serve Thee best through their divisions, but grant that they may sit down together in the final action to prove that Thy will is being done. Where personal differences come into public view, grant that they may ultimately be overcome by the desire to give way to the decision of the majority and enable that majority, through Thy Holy Spirit, to be so inspired as to represent the hopes and aspirations of all members of this corporate body.

In all things, most gracious God, permit each of us to serve Thee before we serve ourselves, and ultimately bring to all men the blessing of Thy help and guidance which has been shown toward us in our deliberations, through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Allegheny, Mr. Walker, to the rostrum to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. KEPHART for today's Session, because of important personal business.

He also asked and obtained leave of absence for Mr. SNOWDEN, due to serious illness in the family.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 38, entitled:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal sale dispensing or giving away of drugs.

Which was committed to the Committee on Judiciary General.

House Bill No. 57, entitled:

An Act to add Section 709 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts to lease unused and unnecessary lands and buildings.

Which was committed to the Committee on Education.

House Bill No. 343, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 504, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Which was committed to the Committee on State Government.

House Bill No. 705, entitled:

An Act to amend Clause (c) of Section 2411 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting the furnishing and erecting on Commonwealth property of certain prefabricated houses or custom-built houses without appointment of and contract with an architect and without approval of the State Art Commission.

Which was committed to the Committee on State Government.

House Bill No. 780, entitled:

An Act to amend Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors and boards of public education to pay the compensation of professional employes employed as exchange teachers.

Which was committed to the Committee on Education.

House Bill No. 817, entitled:

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" by extending the provisions of the additional tax for a limited time.

Which was committed to the Committee on Finance.

House Bill No. 818, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time.

Which was committed to the Committee on Finance.

House Bill No. 819, entitled:

An Act to further amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

Which was committed to the Committee on Finance.

House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms.

Which was committed to the Committee on Local Government.

House Bill No. 1108, entitled:

An Act to amend clause (3) of Section 5 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries;" by removing the five year financial experience requirement as to obligations of authorities constructing public school buildings.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL No. 21

He also returned to the Senate, Senate Bill No. 21, entitled:

An Act to further amend the act approved the twenty-

second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County.

with the information that the House has passed the same without amendments.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 445

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 445, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL 445

Mr. MAHANY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 4, 1953.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 11, 1953, at three o'clock p. m. E. S. T.; and when the House of Representatives adjourns this week it reconvene on Monday, May 11, 1953, at three-thirty o'clock p. m., E. S. T.

STUDENTS FROM OSCEOLA MILLS JOINT HIGH SCHOOL PRESENTED TO SENATE

The PRESIDING OFFICER. At this time, the Chair wishes to present to the Senate a group of students from the Osceola Mills Area Joint High School, of Clearfield County. The students comprise the Junior American History Class, and they are here under the direction of Violet M. Williams and Mrs. Elizabeth Redding.

Will the guests of Senator Letzler please rise in place and take a bow?

PERMISSION TO ADDRESS SENATE

Mr. WOLFE asked and obtained unanimous consent to address the Senate.

Mr. WOLFE. Mr. President, I would like to advise the Senate that this resolution is being reported from committee as the result of a unanimous vote of the committee. I would also like to say that this resolution is being reported from the Committee on Military Affairs and Aeronautics within twelve hours from the time it was referred to this committee.

REPORTS FROM COMMITTEES

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, to which was referred resolution offered by Messrs. Wade and Holland on May 5, 1953, reported the same without amendment as follows:

MEMORALIZING CONGRESS OF THE UNITED STATES TO CONTINUE POLICY OF PROVIDING MEDICAL AND HOSPITAL CARE FOR VETERANS

In the Senate, May 5, 1953.

Whereas, Hugh H. Hoke, Commander, Department of Pennsylvania Veterans of Foreign Wars of the United States, brings to the attention of the General Assembly of Pennsylvania attacks in the Congress of the United States upon the government hospital and medical treatment program for veterans as well as payment of compensation, and

Whereas, These attacks were subjected to pointed and categorical criticism by James W. Cothran, Bishopville, South Carolina, Commander-in-Chief, Veterans of Foreign Wars of the United States, and

Whereas, the Commander-in-Chief, Veterans of Foreign Wars of the United States declared that these attacks neglect to present all the facts and thus shamefully cast a shadow of suspicion upon the entire program for providing hospitalization, medical treatment and compensation for disabled veterans, and

Whereas, With the entire United States—yes, the entire United Nations—thrilled over the exchange of sick and wounded prisoners; with the American press, radio and television cooperating to promptly furnish the names of American boys returned from the hell of prison camps and anxious parents, wives and relatives prayerfully watching for the names of their loved ones, yet these attacks daily belabor the program of government care of American's veterans, and

Whereas, With the United States Senate conducting an exhaustive investigation to determine whether our fighting men have enough ammunition to defend themselves with the greatest margin of safety and other investigations solicitous of the welfare of our sons and brothers engaged in deadly combat in Korea it is ill-becoming to cast a shadow of suspicion over the care program for America's disabled veterans and to invite the support of crackpots and cranks who never lose an opportunity to attack the expenditure of money for the care of veterans, and

Whereas, In attacking the hospital and medical program for veterans, a few cases have been cited of well-to-do veterans who have received medical treatment in a Veterans Administration hospital for alleged non-service-connected disabilities, but those few cases are exceptions to the rule and that the great majority of veterans receiving medical treatment at government expense are either service-disabled or unable to pay even a small portion of today's high cost of hospitalization, and,

Whereas, The hospital records of the Veterans Administration as publicly reported by the V. A. Director of Medicine and Surgery indicates that ninety-five percent of all veteran patients in Veterans Administration hospitals are either service-disabled, tubercular, NP or chronic cases, requiring long periods of hospitalization for which they cannot afford to pay. It was further pointed out by the V. A. Medical Director that unless the Federal Government provides the care for those men who have served their country in time of war or national emergency, the states and counties will have to assume the burden or let them die on the streets, and

Whereas, The Veterans Administration, because of inadequate funds, according to their own public reports, has been forced to close down hundreds and hundreds of hospital beds, terminate related personnel and defer providing out-patients treatment to veterans who have service-connected disabilities and who have been approved for treatment. Even now hundreds of tubercular veterans and veterans suffering with mental conditions are walking the streets constituting a menace to their families, friends and the general public because they are unable to obtain hospitalization and medical treatment, therefore be it

Resolved, (if the House of Representatives Concur) That the General Assembly of Pennsylvania hereby memoralizes the Congress of the United States to continue this country's historical record and policy of providing medical and hospital care for every veteran suffering from service-connected disabilities, or if not so connected, such veterans are without personal funds for such medical and hospital care, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States; Speaker of the House of Representatives, Joseph W. Martin, Jr.; Senator Edward Martin, Senator James H. Duff, and each member of the Pennsylvania Congressional Delegation.

Laid over for one day under the Rules.

Mr. KESSLER, from the Committee on Judiciary General, reported as committed House Bill No. 99, entitled:

An Act to further amend Section 2 of the act, approved the twenty-second day of July, one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habeas corpus, coran nobis and other writs arising out of escapes or crimes and trials therefor.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 260 entitled:

An Act to amend section 1 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by changing the provisions which permit minors in military service and mariners to dispose of their property by will.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 703, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions further providing for the correction of errors and providing for the construction of references to certain laws which are repealed

He also, from the Committee on Judiciary General, reported as committed House Bill No. 704, entitled:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" by clarifying the effect of amendments upon each other and extending the same to previous enactments

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

Mr. WADE, from the Committee on State Government, reported as committed Senate Bill No. 352, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same os public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts of payments from the Commonwealth to counties.

He also, from the Committee on State Government, reported as committed Senate Bill No. 448, entitled:

An Act to further amend section two hundred eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers,

and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by clarifying the holding over after expiration of the term of office of persons appointed by the Governor and repealing inconsistent provisions.

He also, from the Committee on State Government, reported as committed Senate Bill No. 500, entitled:

An Act to further amend section two thousand three hundred eighteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrtaive work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by conferring additional duties upon the Governor and the Department of Welfare.

He also, from the Committee on State Government, reported as committed Senate Bills No. 501, entitled:

An Act to further amend Sections 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursements from the Historical Preservation Fund.

He also, from the Committee on State Government, reported as committed House Bill No. 190, entitled:

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor, the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E. Kent Kane all right, title and interest of the Commonwealth to certain land in Sergeant Township, McKean County, formerly conveyed to the Commonwealth subject to conditions that have not been met.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I have been directed to report certain bills from the Committee on State Government. These bills all refer to the State School Retirement System and were originally referred to the Committee on State Government, but ordinarily bills of this nature are refrred to the Committee on Education.

Therefore, Mr. President, the Committee on State Government has suggested that these bills be referred to the Committee on Education.

REPORTS FROM COMMITTEES

BILLS RE-REFERRED

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 358, entitled:

An Act to further amend subsection 4 of section 14 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled, "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing further allowances upon superannuation retirement.

Which was re-referred to the Committee on Education.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 454, entitled:

An Act to amend Section 11.1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contrbuting employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" by providing for certain repayments to contributors in case of withdrawal.

Which was re-referred to the Committee on Education.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 455, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from

contributions by the Commonwealth and contributng employes, definng the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for officers and employes of the Department of Public Instruction, State Teachers' Colleges, Thaddeus Stevens Trade School, Pennsylvania State Oral School for the Deaf, and the Pennsylvania Soldiers' Orphan School, to withdraw from the retirement system and receive reimbursement for moneys paid in.

Which was re-referred to the Committee on Education.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 456, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for return to service with full retirement rights.

Which was re-referred to the Committee on Education.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 457, entitled:

An Act to amend the act approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by further extending such benefits.

Which was re-referred to the Committee on Education.

Mr. YOSKO, on behalf of Mr. McMENAMIN, from the Committee on Corporations, reported as amended, Senate Bill No. 155, entitled:

An Act prohibiting the attaching of metal or other hard metal or other hard substances to public utility poles.

He also, on behalf of Mr. McMENAMIN, from the Committee on Corporations, reported as committed, Senate Bill No. 238, entitled:

An Act to amend the act, approved the seventh day of June, one thousand eight hundred eighty-seven (P. L. 365), entitled "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons," by authorizing perpetual existence for cooperative associations; providing for prospective and retroactive amendments to articles of association increasing terms of existence or making such terms of existence perpetual.

He also, on behalf of Mr. McMENAMIN, from the Committee on Corporations, reported as committed, Senate Bill No. 276, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the incorporators or the corporation to advertise filing of articles of incorporation before or after the date of filing, eliminating requirement of filing proofs of such advertisement, and prohibiting transaction of business before such advertisement, subject to penalties; changing procedure for increasing indebtedness and validating increases heretofore so authorized; providing separate elections for vacancies in offices of different classes of directors; authorizing directors to fix place of meeting of shareholders persuant to authority of by-laws; changing provisions relative to cumulative voting in elections of directors; further providing for notice to shareholders of meetings to consider proposed amendments; eliminating requirement of filing certificates evidencing certain payments in certain cases of merger or consolidation and making Commonwealth claims in such cases a lien on the franchises and all property of the surviving or new corporation; and authorizing the Secretary of the Commonwealth to receive process issued by a federal court against any foreign business corporation doing business in this Commonwealth.

He also, on behalf of Mr. McMENAMIN, from the Committee on Corporations, reported as committed, Senate Bill No. 310, entitled:

An Act to amend the title and further amend clause (h) of subsection B of section four of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by extending to the Public Utility Commission jurisdiction over rates, service and facilities of public utilities served by authorities or their agents beyond the limits of the municipalities.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 558, entitled:

An Act to amend Section 2318 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of cetain departments, boards and commissions shall be determined," by limiting the powers of the Boards of Trustees of State Institutions.

Which was committed to the Committee on State Government.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of holding a meeting of the Committee on Apropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, from the Committee on Appropriations, reported as committed Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87), entitled "An act to provide for the ordinary expenses of the Executive,, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 171, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 97, Printer's No. 185, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 419, Printer's No. 158, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 517, Printer's No. 186, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 518, as follows:

An Act to amend Section 2 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608) entitled "An act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608) entitled "An act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Board establishing a State Planning Code and repealing certain acts" is hereby amended to read as follows

Section 2 State Planning Board The State Planning Board with which is hereby merged and consolidated the State Board of Housing shall be a departmental administrative board within the Department of [Commerce] Internal Affairs and shall be deemed subject to all the provisions of "The Administrative Code of 1929" as now

or hereafter amended which apply generally to departmental administrative boards

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Watkins,
Chapman,	Lane,	Pechan,	Watson,
Crowe,	Leader,	Peelor,	Weiner,
Dent,	Letzler,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Stevenson,	Walker,
Freed,	McCreesh,	Stiefel,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 519, Printer's No. 188, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 520, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative department boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Internal Affairs and the Department of Commerce of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the dputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Internal Affairs
Board of Property
Pennsylvania Aeronautics Commission

* * * * *

In the Department of Commerce
[Pennsylvania Aeronautics Commission]
State Planning Board

Section 2 The first paragraph of Section 407 of said **act as last amended** by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 542) is hereby further amended to read as follows

Section 407 Pennsylvania Aeronautics Commission The Pennsylvania Aeronautics Commission shall consist of the Secretary of [Commerce] Internal Affairs who shall be chairman thereof and eight other members to be appointed by the Governor Two of the members shall be chosen from the House of Representatives and two from the Senate of the Commonwealth of Pennsylvania The members of the commission who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership

Section 3 The unexpended balances existing on the effective date of this act in any appropriation made out of any fund to the Department of Commerce for the use of the Pennsylvania Aeronautics Commission are hereby transferred and appropriated to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission for the same purposes as expressed in the act making the appropriation and any such unexpended balance is also hereby appropriated to the Department of Internal Affairs for the payment of any bills incurred by the Pennsylvania Aeronautics Commission prior to and remaining unpaid on the effective date of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the pro-

visions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	Stiefel,	Taylor,
Barr,	Harney,	McCusker,	Toole,
Berger,	Holland,	McGinnis,	Wade,
Blass,	Kessler,	McMenamin,	Wagner,
Camiel,	Kopriver, Jr.	McPherson, Jr.	Watkins,
Chapman,	Lane,	Miller,	Watson,
Crowe,	Leader,	Pechan,	Weiner,
Dent,	Letzler,	Peelor,	Wolfe,
Diehm,	Madigan,	Propert,	Wood,
DiSilvestro,	Mahany,	Ruth,	Yosko,
Fleming,	Mallery,	Silvert,	Walker,
Freed,	McCreesh,	Stevenson,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 521, as follows:

An Act to further amend the act approved the ninth lay of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganiing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative lepartments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganiing or authoriing the reorganiation of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive anl administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies anl other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and emp'oyes of certain departments boards and commissions shall be letermined" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs and changing the membership of the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Internal Affairs and to the Department of Commerce of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganiing the conduct of the executive anl administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administratve officers and of all deputies and other assistants and emp'oyes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five P. L. 1398) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

* * * * *

In the Department of Internal Agairs
Board of Property
State Planning Board

* * * * *

In the Department of Commerce
Pennsylvania Aeronautics Commission
[State Planning Board]

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Section 451 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1629) is hereby further amended to read as follows

Section 451 State Planning Board The State Planning Board shall consist of the Secretary of [Commerce] Internal Affairs ex officio who shall be chairman of the board and fifteen members to be appointed by the Governor from among the citizens of the State who during their terms shall hold no other State office to which any salary is attached The Governor may appoint as additional members of the board judges officials of State departments agencies or authorities or members of the General Assembly for such terms as he may determine but not beyond their term of office in such other State service At no time shall there be more than ten such official members Except as hereinafter provided the term of office of citizen members of the board shall be five years and until their successors are appointed and have qualified In case of a vacancy except in the case of the Secretary of [Commerce] Internal Affairs the Governor shall make an appointment for the unexpired term In the event of the enforced absence or inability of the Secretary of [Commerce] Internal Affairs to act his duly authorized deputy shall in his stead be temporary chairman and a member of the board

The members of the State Planning Board and the State Board of Housing serving on the effective date of these amendments shall continue to serve as members of the State Planning Board as hereby reconstituted until the expiration of the terms for which they were last appointed

Eight members of the board shall constitute a quorum

The members of the board shall serve without compensation but shall be entitled to receive traveling and other expenses incurred in the discharge of their duties

The board may with the approval of the Governor appoint and fix the compensation of an executive director who shall act as secretary of the board and who shall conduct the work of the board under its supervision The executive director shall hold no other position in the service of the Commonwealth or any political subdivision thereof and shall be technically qualified for the duties of his office

Section 3 Article XII of said act is hereby amended by adding after Section 1210 thereof a new section to read as follows

Section 1211 Powers and Duties of the State Planning Board The State Planning Board shall have the power and its duty shall be subject to the provisions of this act to administer and carry out the provisions of the State Planning Code and such other laws as shall be assigned to it by the General Assembly

Section 4 Section 2502-B of said act as amended by the act approved the twentieth day of May one thousand

nine hundred forty-nine (P. L. 1629) is hereby repealed

Section 5 The unexpended balance existing on the effective date of this act in any appropriation made out of the General Fund to the Department of Commerce for the use of the State Planning Board is hereby transferred and appropriated to the Department of Internal Affairs for the use of the State Planning Board for the same purposes as expressed in the act making such appropriation and any such unexpended balance is hereby appropriated to the Department of Internal Affairs for the payment of any bills or encumbrances incurred by the State Planning Board prior to and remaining unpaid on the effective date of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Watkins,
Chapman,	Lane,	Pechan,	Watson,
Crowe,	Leader,	Peelor,	Weiner,
Dent,	Letzler,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Stevenson,	Walker,
Freed,	McCreesh,	Stiefel,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 522, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XII of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof a new section to read as follows

Section 1212 Industrial and Business Development The Department of Internal Affairs shall have the power and its duty shall be

(a) To investigate study and undertake ways and means of promoting and encouraging the prosperous development and protecting the legitimate interests and welfare of Pennsylvania business industry and commerce within and without the Commonwealth

(b) To investigate study and undertake ways and means of expanding markets and promoting and developing new markets for Pennsylvania products

(c) To promote and encourage the location and development of new business industries and commerce within the Commonwealth

(d) To investigate and study conditions affecting Pennsylvania business industry and commerce and to collect and disseminate information and engage in educational activities necessary or useful for the proper execution of its duties in promoting the developing Pennsylvania business industry and commerce within and without the Commonwealth

Section 2 Article XX of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 2010 Publicity The Department of Highways shall have the power and its duty shall be to plan and conduct a program of information advertising and publicity relating to the recreational scenic historic highway and residential facilities advantages and attractions of the Commonwealth including any political subdivisions thereof which may include newspaper magazine outdoor and radio advertising both within and without the limits of the Commonwealth The department shall encourage and so far as it is practicable to do so coordinate the activities of persons firms associations corporations and other organizations engaged in publicizing and promoting such facilities advantages and attractions of the Commonwealth or any political subdivision thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kessler,	McPherson, Jr.	Wagner,
Camiel,	Kopriver, Jr.	Miller,	Watkins,
Chapman,	Lane,	Pechan,	Watson,
Crowe,	Leader,	Peelor,	Weiner,
Dent,	Letzler,	Propert,	Wolfe,
Diehm,	Madigan,	Ruth,	Wood,
DiSilvestro,	Mahany,	Silvert,	Yosko,
Fleming,	Mallery,	Stevenson,	Walker,
Freed,	McCreesh.	Stiefel,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiing bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 48, entitled:

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of ertain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 61, Printer's No. 193, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiing bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 63, entitled:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or pirvate bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING CALENDAR OVER IN ORDER

Mr. MAHANY. Mr. President, I move that all bills remaining on the Second Reading Calendar go over in their order.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

Senate Bill No. 67, Printer's No. 173;
Senate Bill No. 289, Printer's No. 194;
Senate Bill No. 290, Printer's No. 195;
Senate Bill No. 312, Printer's No. 196;
House Bill No. 333, Printer's No. 46;
House Bill No. 334, Printer's No. 47;
House Bill No. 335, Printer's No. 48;
House Bill No. 383, Printer's No. 142;
House Bill No. 384, Printer's No. 117;
Senate Bill No. 402, Printer's No. 197;
Senate Bill No. 450, Printer's No. 178;
Senate Bill No. 451, Printer's No. 179;
Senate Bill No. 452, Printer's No. 180;
Senate Bill No. 473, Printer's No. 182;
Senate Bill No. 535, Printer's No. 198;
House Bill No. 655, Printer's No. 84;
House Bill No. 708, Printer's No. 89;
House Bill No. 709, Printer's No. 88.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 99, entitled:

An Act to further amend Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habes corpus coram nobis and other writs arising out of escapes or crimes and trials therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 155, entitled:

An Act prohibiting the attaching of metal or other hard substances to public utility poles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 190, entitled:

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E. Kent Kane all right title and interest of the Commonwealth to certain land in Sergeant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 238, entitled:

An Act to amend the act, approved the seventh day of June, one thousand eight hundred eighty-seven (P. L. 365), entitled, "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons," by authorizing perpetual existence for cooperative associations; providing for prospective and retroactive amendments to articles of association increasing terms of existence or making such terms of existence perpetual.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 260, entitled:

An Act to amend section 1 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by changing the provisions which permit minors in military service and mariners to dispose of their property by will.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 276, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescibing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the incorporators or the corporation to advertise filing of articles of incorporation before or after the date of filing, eliminating requirement of filing proofs of such advertisements, and prohibiting transaction of business before such advertisement, subject to penalties; changing procedure for increasing indebtedness and validating increases heretofore so authorized; providing separate elections for vacancies in offices of different classes of directors; authorizing directors to fix place of meeting of shareholders pursuant to authority of by-laws; changing provisions relative to cumulative voting in elections of directors; further providing for notice to shareholders of meetings to consider proposed amendments; eliminating requirement of filing certificates evidencing certain payments in certain cases of merger or consolidation, and making Commonwealth claims in such cases a lien on the franchises and all property of the surviving or new corporation; and authorizing the Secretary of the Commonwealth to receive process issued by a federal court against any foreign business corporation doing business in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 310, entitled:

An Act to amend the title and further amend clause (h) of subsection B of section four of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to acecpt grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by extending to the Public Utility Commission jurisdiction over rates, service and facilities of public utilities served by authorities or their agents beyond the limits of the municipalities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 352, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal oGvernment for forest eserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county,

school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts of payments from the Commonwealth to counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act to further amend section two hundred eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commisisons and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commission shall be determined," by clarifying the holding over after expiration of the term of office of persons appointed by the Governor and repealing inconsistent provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend section two thousand three hundred eighteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by conferring additional duties upon the Governor and the Department of Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend Section 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursement from the Historical Preservation Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 703, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws;! prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions; further providing for the correction of errors; and providing for the construction of references to certain laws which are repealed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 704, entitled:

An Act to amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules and the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," by clarifying the effect of amendments upon each other; and extending the same to previous enactments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDING OFFICER. Will the Majority Floor Leader, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Senator Mahany, do I understand that the deficiency appropriation bill that was just reported by the Committee on Appripriations applies to the ten State owned medical and surgical hospitals?

Mr. MAHANY. Mr. President, the second paragraph of the bill provides "For the payment of the deficiency in the appropriation for the payment of salaries, wages or other compensation of the superintendents and other employees, for the payment of general expenses, supplies and printing, for repairs,. for the purchase of equipment, furniture and furnishings, for the payment to fire companies of costs of fighting fires, upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland," and the other State owned hospitals.

Mr. YOSKO. Senator Mahany, that is not too clear to me. I would like to know specifically—if you do not know, I would like to make a request—what the $400,000 is for, how it is going to be allocated, how much to whom and for what?

Mr. MAHANY. Mr. President, the Senator voted on this very same appropriation last week in a House Bill. That part was not one that was eliminated by an amendment. The Senator voted for this last week, and I cannot understand why he is now raising any question about the same thing this week. As I understand it, this money is necessary for the payment of salaries and wages to the employees in these hospitals.

Mr. YOSKO. Mr. President, I wish to answer the Senator relative to my vote on the bill last week, by stating that the deficiency appropriation bill that we voted for last week was in the form of an omnibus bill. That is, there were a number of departments that were involved in it. Because one department, at least, merited a deficiency appropriation, you had to vote for all of them. I, myself, would prefer, and I am sure other Members of this Senate would prefer, to have appropriation bills brought in in individual bills and not lumped together in one bill, in order that we can consider each deficiency appropriation on its own merits.

Now that we have one of that type, Mr. President, I would like to know how much of this $400,000 is going to whom, for what. I will expect, if you do not have that information available now, that on Monday, the departments involved, or the department involved, or institutions involved, will prepare a statement to indicate how much of the $400,000 is being allocated to the different divisions which you enumerated and for what.

Mr. President, If it involves the ten State medical-surgical hospitals, I would also like to have produced here on Monday a statement of the write offs in those hospitals during the current biennium, together with the names and addresses of those who are involved in the write offs, so that we can look into them and find out whether or not there was included on the list persons with ability to pay.

Mr. MAHANY. Mr. President, I will try to get that information for the Senator, and perhaps it would be better, if he wanted more information than that, to talk directly to the Secretary of Welfare, Mr. Brown. If he wishes, perhaps I can contact Mr. Brown, or his Controller or anybody else whom the Senator wishes, to attend the Democratic Caucus and give him that information.

Mr. YOSKO. Mr. President, I am always a little bit suspicious when somebody asks for a deficiency appropriation in round figures. This is exactly $400,000. I would like to know who computed those figures and exactly how and what would be applied, so that we know exactly what we are doing here.

Mr. President, I may as well serve notice on you now that when the appropriation bills come up here for the next biennium, I, for one, will expect, and will consume considerable time before this microphone in an effort to have all appropriation bills itemized as they were submitted to the Budget Bureau, so that whatever funds are asked for by departments, boards and commissions can be earmarked and applied only to those purposes for which the budget request is made.

As it is now, Mr. President, they submit an itemized statement and we make the appropriation; give it to them in a lump sum. They spend it as they please, and then they come in here close to the end of the biennium and request deficiency appropriations. Up to this point, I understand there is about $11,000,000 worth of them. Whether that is the end of the line or not, I do not know. It is about time we begin to do a little bit of checking here before we approve these appropriations.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I somewhat hesitate to inject myself into this debate, but if I understood the gentleman from Northampton, Senator Yosko, correctly, he made a demand on our Majority Leader that he furnish certain information which is available to all Members of the General Assembly, either the House or the Senate, in the Auditor General's Department .Why one Member, who has assumed the leadership of the Majority side, would be required to get this information for another Member, is beyond my comprehension.

Mr. President, that information is public information, as to who paid bills or who was exonerated from paying bills in these ten State hospitals. That is public information, I repeat. The gentleman from Northampton has on various and sundry occasions quoted from reports in the Auditor General's Department. Why can he not get firsthand information there himself, rather than ask a man who is as busy as our Majority Leader to get it for him?

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, in answer to Senator Wade, I disagree with him that the information which I am requesting is available in the Auditor General's Department. That information, so far as the write offs are concerned, and the names and addresses of those involved, should be available from the Department of Revenue because it is the Department of Revenue which has its Revenue Agents at these hospitals to approve these write offs. The only thing the Auditor General's Department does is go into the institutions and make the audits.

Mr. President, getting back to the request I made to the Majority Leader, I think the Majority Leader should be respected enough by any head of a department here to make a request and have that request complied with. As a matter of fact, the statement which I am requesting should be accompanied with the request for the deficiency appropriation. How anybody can go into the Appropriations Committee meeting and approve a $400,000,000 appropriation without supporting data is a mystery to me. I cannot understand it. I do not believe anyone in good business practice would approve anything along that line, as is being approved here today. I am making a request for that information.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, just so the record is corrected, the figure that Senator Yosko has stated that we approved of is a little bit exaggerated, like Mark Twain's death. The figure is $400,000 and not $400,000,000.

Mr. President, for Senator Yosko's information, I will be glad to supply him with whatever information I can, or that any department head can, on this particular item or any other item in the bill. If he and the other Senators are not satisfied with it, they may put in an amendment to knock this amount down or cut it out completely next Monday, when it appears on our calendar for second reading.

STUDENTS FROM NORTHEAST JUNIOR HIGH SCHOOL, BETHLEHEM, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair at this time wishes to present to the Senate a group of students from the ninth grade of the Northeast Junior High School, Bethlehem, Northampton County, who are the guests of Senator Yosko. They are here under the direction of Mr. John Saurina.

Will Senator Yosko's guests please rise in place and take a bow?

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 21, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County.

House Bill No. 885, entitled:

An Act to further amend Section 171 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by authorizing, in certain cases, appointment of surveyors not resident in the county, to boards of viewers in counties of the eighth class.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, May 11, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:22 o'clock a. m., Eastern Standard Time, until Monday, May 11, 1953, at 3:00 o'clock p. m. Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 6, 1953

The House met at 9:00 a. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Lord, our Heavenly Father, Almighty and Everlasting God who hast brought us to the beginning of this day; Defend us in the same with Thy mighty power; and grant that this day we fall into no sin neither run into any kind of danger; but that all our doings may be ordered by Thy governance, to do always that which is righteous in Thy sight; through Jesus Christ Our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, May 5, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, May 5, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. HELM. HOUSE BILL No. 1264.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for plans of school building, admission of beginners, enumeration of children, cost of education of blind children, half-day school sessions, district teaching units, and payments by the Commonwealth for rentals, additional units and closed schools, and transportation; requiring issuance of high school certificates and approval of joint schools; providing penalties on school districts; and making corrections and supplying omissions.

Referred to the Committee on Education.

By Mr. MILLER. HOUSE BILL No. 1265.

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled, as amended, "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first, second, second A and third classes, boroughs, and townships of the first class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem, and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State, political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by defining the rights of lessees of parking facilities; extending the power to lease parking facilities and to exchange properties; authorizing temporary bonds; and further providing for acquiring property by eminent domain.

Referred to the Committee on Municipal Corporations.

By Messrs. KOHL and READINGER. HOUSE BILL No. 1266.

An Act to amend the act, approved the nineteenth day of July, one thousand nine hundred fifty-one (P. L. 1026), entitled "An act authorizing political subdivisions, other than cities of the first and second classes and school districts of the first class and first class A, to appoint and pay the compensation of employes to make an assessment list of all inhabitants or residents thereof over twenty-one years of age, for taxation purposes," by providing for enumeration of persons by enumerators of school children and preparation of lists by school districts situated within counties of the third class, and use of such lists by boroughs and townships.

Referred to the Committee on Municipal Corporations.

By Messrs. COOPER and SCHMIDT. HOUSE BILL No. 1267.

An Act to further amend subsection (C) of Section 12, of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by increasing the medium amount of interest and charges on loans.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. SUCHER and STIMMEL. HOUSE BILL No. 1268.

An Act to further amend subsection (d) of Section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless tro ley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by determining the rate of speed by radar equipment or speedometer.

Referred to the Committee on Motor Vehicles.

By Messrs. SUCHER and STIMMEL. HOUSE BILL No. 1269.

An Act to amend Section 1203 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and

legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended by providing for arrests on view by peace officers of any organized police department.

Referred to the Committee on Motor Vehicles.

By Mr. COOPER. HOUSE BILL No. 1270.

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by providing for the payment of the cost of removal or change of public utility facilities of political subdivisions or municipality authorities in State highways.

Referred to the Commttee on Highways.

By Messrs. BOLTON and McCANN.
HOUSE BILL No. 1271.

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the compensation of auditors.

Referred to the Committee on Townships.

By Mr. BOWER. HOUSE BILL No. 1272.

An Act to frther amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by limiting the time within which reports of certain special audits of accounts of certain county officers shall be filed with the court of common pleas.

Referred to the Committee on Counties.

By Mr. DAVIS. HOUSE BILL No. 1273.

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for private school and institution service in certain instances.

Referred to the Committee on Education.

By Messrs. WHALLEY, SCHMIDT and THOMAS.
HOUSE BILL No. 1274.

An Act to further amend subsection four of Section 3 of the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointment of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties," by providing that copies of weighmaster's certificates may be requested for use as evidence by any inspector of weights and measures.

Referred to the Committee on State Government.

By Messrs. SCHMIDT, THOMAS and PEIFLY.
HOUSE BILL No. 1275.

An Act to regulate and control the distribution, sale, or offering for sale of ice cream and related frozen products; conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto; and prescribing penalties for violations thereof.

Referred to the Committee on State Government.

By Mr. WILBUR H. HAMILTON.
HOUSE BILL No. 1276.

An Act to amend Section 12 of the act, approved the second day of June, one thousand eight hundred seventy-one (P. L. 1301) entitled "An act to establish and maintain for the city of Philadelphia, a house of correction, employment and reformation for adults and minors," by authorizing judges or magistrates to discharge inmates whom they have committed.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. WILBUR H. HAMILTON.
HOUSE BILL No. 1277.

An Act to further amend the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled, as amended, "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their compensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," by fixing time for which dockets, books and papers of magistrates' courts shall be kept; establishing a Traffic Court of Philadelphia and prescribing the powers and duties and jurisdiction of said courts and the magistrates assigned thereto; providing for a seal for such court and the costs taxable therein; and repealing certain acts.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

By Messrs. VAN SANT and READINGER.

HOUSE BILL No. 1278.

An Act to add section 2.1 to the act, approved the fifth day of January, one thousand nine hundred fifty-two (P. L. 1833) entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions; authorizing interstate cooperation in certain cases; creating a Contribution Fund; and making appropriations," by authorizing termination of retirement systems, pension or retirement plans, or similar funds, systems or plans in order to qualify the membership for benefits provided for by said act.

Referred to the Committee on State Government.

By Messrs. JOHNSON and ANDREWS.

HOUSE BILL No. 1279.

An Act relating to the regulation, control and stabilization of rents and possession of housing spaces and living accommodations by municipalities and townships.

Referred to the Committee on Municipal Corporations.

By Messrs. WESCOTT, FLACK, WHEELER and WOOD.

HOUSE BILL No. 1280.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by changing the provisions thereof relating to parks, playgrounds and other recreation places and facilities, and park and recreation boards.

Referred to the Committee on Boroughs.

By Messrs. WESCOTT, FLACK, WHEELER, and WOOD.

HOUSE BILL No. 1281.

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for parks, recreation areas and facilities.

Referred to the Committee on Cities—Third Class.

By Messrs. WESCOTT, FLACK, WHEELER, and WOOD.

HOUSE BILL No. 1282.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by requiring corporate surety on certain bonds.

Referred to the Committee on Townships.

By Messrs. WESCOTT, FLACK, WHEELER, and WOOD.

HOUSE BILL No. 1283.

An Act to further amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by requiring corporate surety on certain bonds.

Referred to the Committee on Townships.

By Messrs. WESCOTT, FLACK, WHEELER, and WOOD.

HOUSE BILL No. 1284.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by requiring corporate surety in certain bonds.

Referred to the Committee on Boroughs.

By Messrs. WESCOTT, FLACK, WHEELER, and WOOD.

HOUSE BILL No. 1285.

An Act to further amend subsections (b) and (b.1) of Section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by requiring bonding companies as sureties on bonds of tax collectors.

Referred to the Committee on Municipal Corporations.

By Messrs. THOMAS, MORAN, JENKINS, and JOHN J. MURRAY.

HOUSE BILL No. 1286.

An Act to further amend Section 2433 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing auditors' compensation in third class school districts.

Referred to the Committee on Education.

By Messrs. THOMAS and PEIFLY.

HOUSE BILL No. 1287.

An Act to regulate and control the distribution, sale or offering for sale of all bread wrapped or unwrapped; conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto; prescribing penalties for violations thereof and repealing inconsistent laws.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being instroduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 68.

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by in-

creasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 70.

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and authorizing or ratifying payments on such contracts by the school district.

Referred to the Committee on Education.

SENATE BILL No. 219.

An Act to further amend section 1169 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by excusing school districts from payment of salary to teachers on sabbatical leave who receive a grant equal to or exceeding their salary payable during the year of leave.

Referred to the Committee on Education.

SENATE BILL No. 325.

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public officers occurring under condidtions for which said election code does not prescribe machinery

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 468.

An Act to amend Section 516.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by extending the area in which school directors may attend certain meetings.

Referred to the Committee on Education.

SENATE BILL No. 474.

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (Penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 489.

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils.

Referred to the Committee on Education.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. CONNER and ZEITZ. RESOLUTION No. 55.

In the House of Representatives, May 5, 1953.

Whereas, The House of Representatives of the Commonwealth of Pennsylvania is entrusted with the obligation of providing the ways and means to permit the collection of necessary operating revenues; and

Whereas, It is the responsibility of this body to prevent excessive tariffs and protect the interest and equity of the citizens in this great State; and

Whereas, There is at this time in the Senate of the United States a bill commonly termed, "Tideland Oil," an act designed to allocate certain coastal States valuable submerged properties now under the preservation and protection of the United States; and

Whereas, The passage of this bill in its present form would perpetrate an injustice against the citizens of this State and deprive them of their rights granted by the Constitution and reassured by the Sepreme Court; and

Whereas, These lands belong to the citizens, the States, and the Republic; it is, therefore, mandatory that revenues collected therefrom should be distributed in equal proportions; and

Whereas, The educational needs of this Commonwealth exceed existing budget allocations; therefore be it

Resolved, That the Secretary of this body be directed to notify the United States' Senators, representing the Commonwealth of Pennsylvania, that it is the feeling of this House that off shore lands should remain the property of all the people and that revenues collected therefrom should be disbursed to the States for educational purposes on a pro rata population basis as determined by the 1950 census; and be it further

Resolved, That should the present bill be enacted into law on an unequal basis, that is, the granting to one or more States rights, privileges or concessions not granted to each of the other States, then the Attorney General of Pennsylvania be and is directed to take legal recourse by instituting the necessary judicial procedures to test its constitutionality on behalf of the people of this great Commonwealth; and be it further

Resolved, That a copy of this resolution be transmitted to the Attorney General of this State.

Referred to the Committee on Rules.

By Mr. SCOTT. (Concurrent) RESOLUTION No. 56.

In the House of Representatives, May 5, 1953.

Increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability; and

The lower wages paid abroad make it impossible for many of our own smaller and medium-sized producers to compete with imports without resorting to ruinous price-cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment; and

Our National obligations have heached such extreme proportions, that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent; and

Pressure that comes from imports of residual fuel oil, having risen from an average of fifty million barrels in the 1946-48 period to more than one hundred twenty-five million in 1952, or the equivalent of thirty-one million tons of coal; from imports of pottery, watches and parts, glassware, lace, carpets and other textiles, hats and millinery, chemicals, scientific apparatus, cutlery, dairy products, wall paper, luggage and leather goods, and many other articles, will render the upholding of the ecenomy at its high levels most uncertain and difficult unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus contained; and

A maximum of such trade results from a prosperous domestic economy from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (if the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States that adequate safeguards be provided in tariff and trade legislation against the destruction or lowering of our American standard of living, the labor standards of our workmen and the stability of our economy by unfair import competition and that existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice-President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Mr. CLAPPER. RESOLUTION No. 57.

In the House of Representatives, May 5, 1953.

Whereas The courses of study and methods of instruction followed and used in the schools for the deaf are regarded as an antiquated process and not in keeping with the advanced forms adopted by other States as far back as 1910 therefore be it

Resolved That the Joint State Government Commission is hereby directed to make a careful thorough and impartial study and examination of the various methods of instruction used in teaching the deaf and be it further

Resolved That the Joint State Government Commission shall make a report of its findings and recommendations to the Governor and the General Assembly at the next regular session of the General Assembly as to such changes revisions or improvements as it may find to be necessary or desirable to correct any imperfections insufficiencies and defects in the methods of instruction followed in the teaching of the deaf of this Commonwealth

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 885.

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of registered surveyors not resident in the county to boards of viewers in counties of the eighth class

With the information that the Senate has passed the same without amendment.

SENIOR CLASS OF HARRISBURG CATHOLIC HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is very happy to present to the House one hundred fifty-nine members of the Senior Class of the Harrisburg Catholic High School under the direction of Sister Josita Marie, Sister Mary Philip, Sister Winifred and Sister Ottilia. They are the guests of the gentlemen from Dauphin, Messrs. Ziegler and Ogilvie.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 9, entitled:

An Act to amend subsections (a) and (f) of section 1307 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" by authorizing voting by qualified electors honorably discharged from the military service within thirty days prior to the last day for registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 125, entitled:

An Act to further amend section 2103 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting sick leaves of firemen to be accumulated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 213, entitled:

An Act to further amend Section 472 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by extending the scope of local option to include granting of importing distributors' licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 328, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by prohibiting the sale of liquor and malt or brewed beverages on certain holidays.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide as adsectum judgment index and fixing the fees of the prothonotaries therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships prescribing the rights powers and duties of such Authorities heretofore or thereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by providing for increase in member and change in term of members of Authority boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 833, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing annual assessments in lieu of triennial assessment for cities of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds by regulating the passing of vehicles at intersections the use of highways by pedestrians and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing pen-

alties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections by changing the filing fees for judges in Philadelphia and the number of signers and filing fees for magistrates in cities of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1089, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local opinion and repealing existing laws" by removing the time limitation of sixty days for filing local option petitions so that the provisions of the Pennsylvania Election Code will apply

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1133, entitled:

An Act to further amend article nine of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safetyregulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that scales used in determining weights of vehicles and loads be tested and approved and authorizing inspectors of weights and measures to make such tests

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1175, entitled:

An Act to further amend Section 802 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing ambulances to be equipped with two spot lamps

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1197, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the secretary to suspend registrations of manufacturer's jobber's and dealer's in the dealer's class further regulating use of dealer's registration plates in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1206, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing pen-

alties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing filing fees for nomination petitions of jury commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1215, entitled:

An Act to amend Section 830 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining the term "log" as used in provisions requiring that logs carried on certain vehicles and trailers be securely fastened.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1217, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the penalty as to speed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," by specifying in more detail the authority of recorders of deeds in certain instances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 91, entitled:

An Act to amend subsection (b) of Section 1 and Sections 2 and 4 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties' by further defining employer providing for a penalties" by further defining employer providing for a rates and collection of unpaid wages

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1101, entitled:

An Act providing for the administration of a state-wide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto.

The Table of Contents was read.

On the question,

Will the House agree to the Table of Contents?

Mr. FROST. Mr. Speaker, I offer the following amendments. For the information of the House I just want to say that these amendments are merely correctional, correcting typographical errors.

Amend page 3, line 18, by striking out after the Roman numeral "VI" and before the word "of" the following: "Choice" and inserting in lieu thereof the following: "Change."

Amend page 4, line 3, by striking out after the numerals "603" and before the word "of" the folowing: "Changes" and inserting in lieu thereof the following: "Change."

They were agreed to.

The Table of Contents was agreed to as amended.

Articles I to IV were separately read and agreed to.

Article V was read:

On the question,

Will the House agree to the Article?

Mr. FROST offered the following amendment:

Amend Section 505, page 16, line 1, by striking out after the word "through" and before the syllable "Com-" the following: "his" and inserting in lieu thereof the following: "this."

It was agreed to.

The Article was agreed to as amended.

Article VI was read.

On the question,

Will the House agree to the Article?

Mr. FROST offered the following amendments:

Amend Section 601, page 17, line 3, by striking out after the word "of" and before the word "court" the following: "orphans" and inserting in lieu thereof the following: "orphans'."

Amend Section 602, page 17, line 15, by striking out after the word "the" and before the word "of" the following: "cost" and inserting in lieu thereof the following: "costs."

They were agreed to.

The Article was agreed to as amended.

Article VII was read and agreed to.

Article VIII was read.

On the question,

Will the House agree to the Article?

Mr. FROST offered the following amendments:

Amend Section 801, page 20, line 7, by inserting at the end of the line after the word "this" the following: "or prior acts except in compliance with the provisions of this."

Amend Section 806, page 22, line 3, by striking out after the word "to" and before the word "Agencies" the following: "Government" and inserting in lieu thereof the following: "Governmental."

They were agreed to.

The Article was agreed to as amended.

Articles IX and X and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

House Bill No. 9, Printer's No. 16.
Senate Bill No. 16, Printer's No. 164.
Senate Bill No. 76, Printer's No. 36.
Senate Bill No. 207, Printer's No. 65.
Senate Bill No. 211, Printer's No. 29.
Senate Bill No. 294, Printer's No. 69, and
Senate Bill No. 416, Printer's No. 135.

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 422, entitled:

An act to further amend section seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by increasing certain fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 423, entitled:

An Act to amend sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by increasing certain fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 424, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-

seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 425, entitled:

An Act to further amend sections four five and ten of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industries providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 427, entitled:

An Act to amend section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of act inconsistent with this act" by increasing certain fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act to amend the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penalties and repealing certain acts" by increasing certain fees.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 133, Printer's No. 223
House Bill No. 330, Printer's No. 224
House Bill No. 908, Printer's No. 168 and
House Bill No. 909, Printer's No. 169

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 292, Printer's No. 219
House Bill No. 344, Printer's No. 222
House Bill No. 514, Printer's No. 176
House Bill No. 555, Printer's No. 177
House Bill No. 573, Printer's No. 220 and
House Bill No. 574, Printer's No. 221

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 581, as follows:

An Act to amend Section 3 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or many continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting any such corporation incorporated prior to one thousand eight hundred seventy-four to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first

class within the provisions of this act prescribing the terms and conditons upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding thereto after subsection D a new subsection to read as follows

Section 3 Applicability and Acceptance of Act

* * * *

E Any corporation incorporated prior to one thousand eight hundred seventy-four by any general or special act which has not filed with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of the act herein amended may amend its charter for the purpose of changing its name as provided in article seven of this act in the same manner and to the same extent as if it had filed the certificate of acceptance provided for in the section herein amended

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 591, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing pena ties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing requirements and penalties concerning lamps illuminating devices and reflective materials

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as fol ows

Section 1 Subsection (a) of section 801 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling inc uding liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehic es and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 801 Required Lighting Equipment

(a) When Lights Must Be Displayed Every vehicle

upon a highway within this Commonwealth during the period from [one (1)] one-half (½) hour after sunset to [one (1)] one-half (½) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall be equipped with lighted lamps and i luminating devices as in this section respectively required for different classes of vehicles

Section 2 Subdivision (e) of section 801 of said act as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 801 Required Lighting Equipment

* * * * *

(e) (1) Reflectors and Reflective Materials Every motor bus motor omnibus commercial motor vehicle trailer or semi-trailer when operated on a highway [may display reflective materials and] shall display at the rear a red reflector meeting the following requirements

Whenever a red reflector is so used or whenever reflectors are used as hereinafter provided it or they shall be mounted upon the vehicle at a height not to exceed sixty (60) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands and every such reflector shal be of a type which at the time of its use is approved by the secretary and shall be so designed and maintained as to be visible at night from all distances within five hundred (500) feet to fifty (50) feet from such vehicle when directly in front of or opposite to a motor vehicle displaying lawfully lighted head lamps as provided in this act

(2) [Within] Every vehicle when operated on a highway may display reflective materials within the limitations [of this subsection the secretary may adopt] and standard specifications which may be prescribed and adopted by the secretary governing the use and display of reflective materials [on the vehicles designated herein] and it sha l be unlawful for any person to use or display any reflective materials [as provided herein] in violation of the limitations and standard specifications so adopted

Section 3 Section 802 of said act is hereby amended by adding after subsection (c) thereof two new subsections to read as follows

Section 802 Additional Permissible Lights and Devices

* * * * *

(d) Warning Devices Any vehicle used exclusively for repair work or emergency purposes may be equipped with not to exceed one (1) warning lamp of a type approved by the secretary to be used only in connection with repair or emergency work while the vehicle is stationary

(e) Flashing Emergency Lamps Any snow plow or cinder truck operated by or for the Department of Highdays of this Commonwealth or operated by or for the highway department of any political subdivision may be equipped with not to exceed one (1) flashing emergency lamp of a type approved by the secretary for use in emergencies only

Section 4 The pena ty clause of section 802 of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 802 Additional Permissible Lights and Devices

* * * * *

Penalty Any person violating any of the provisions of this section or any person who shall use a warning lamp of the type authorized by subsection (d) of this section while a vehicle is in motion shal upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 5 Section 802.2 of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 802.2 Illuminated Signs Prohibited No vehicle shall bear or display any illuminated signs letters numerals or figures of any kind whatsoever except that a vehicle carrying passengers for hire or a school bus may bear such sign stating its use and destination The provisions of this section shall not be construed to prohibit the use of reflective materials authorized by subsection (e) of section 801 of this act

Penalty Any person violating anw of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof sha l undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 601, Printer's No. 180 and

House Bill No. 692, Printer's No. 182

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 796, as follows:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals theerof and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 916 Malicious Injury to Property Whoever unlawfully and maliciously breaks injures or otherwise destroys or damages any part of any locomotive or stationary engine inclined plane engine house station or depot bridge culvert trestle work or other building or structure belonging to any railroad or wantonly and maliciously deranges or displaces the fixtures or machinery of any locomotive or stationary engine used or employed on any railroad or wilfully and maliciously destroys or injures any fence or wall cross road passing over or under such railroad or unlawfully and maliciously breaks injures or otherwise destroys or damages any of the posts wires or other materials or fixtures employed in the construction and use in any line of an electrical telegraph or telephone or wilfully and maliciously interferes with such structure so credited or in any way attempts to lead from its uses or make use of the electrical current or any portion thereof properly belonging to and in use or in readiness to be made use of for the purpose of communicating telegraphically or telephonically from one station of a telegraph or telephone company to another established station of the same or a connecting telegraph or telephone line or wilfully and maliciously breaks injures or otherwise destroys or damages any of the posts wires towers or other materials or fixtures employed in the construction and use in any line of a television co-ax cable or wilfully and maliciously interferes with such structure so erected or in any way attempts to lead from its uses or make use of the electrical signal or any portion thereof properly belonging to and in use or in readiness to be made use of for the purpose of using said electrical signal from any television co-ax cable company or owner of such property or unlawfully and maliciously breaks injures or otherwise destroys or damages any bridge river or meadow bank or mill dam or wilfully and maliciously takes down injures removes or in any manner damages or destroys any flag flag-staff beacon buoy or other way or water marks which now are or hereafter may be put erected or placed by lawful authority near or in any streams that are or may be declared public highways or unlawfully and maliciously cuts breaks or otherwise destroys any lead tin copper or iron spout affixed to any house or other building public or private or unlawfully and maliciously daubs paints or otherwise defaces any dwelling house is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or undergo imprisonment not exceeding twelve (12) months or both

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kohl,	Petrosky,	Watkins,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kratz,	Pfaff,	Welsh,
Dougherty,	Kline,	Phillips,	Wescott,
Down,	Kornick,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 811, Printer's No. 94,

House Bill No. 812, Printer's No. 95,

House Bill No. 813, Printer's No. 96,

House Bill No. 814, Printer's No. 97,

House Bill No. 815, Printer's No. 98,

House Bill No. 816, Printer's No. 99,

House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150, and
House Bill No. 889, Printer's No. 136,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 965, as follows:

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amendel by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after Article XX thereof a new article to read as follows

Article XX-A

Township Planning Commission

Section 2051 Creation and Appointment of Planning Commission Residence of Commissioners Removal The board of supervisors may create and establish by ordinance a township p'anning commission consisting of five (5) members The members of the planning commission shall be appointed by the supervisors for terms of five (5) years except that the terms of the members first appointed shall be so fixed that one (1) member shall be appointed for one (1) year one for two (2) years one for three (3) years one for four (4) years and one for five (5) years and annually thereafter a member of said commission shall be appointed for a term of five (5) years The members shall hold no other township office except that of member of the township zoning commission or the township zoning board of adjustment An appointment to fill a vacancy shall be only for the unexpired portion of the term All members of the commission shall reside within the township They shall serve without compensation but may be reimbursed for necessary expenses The board of supervisors may after a pub ic hearing remove any member or members of the planning commission for inefficiency neglect of duty or malfeasance in office

Section 2052 Organization Staff Contracts and Expenditures Rules and Regulations (a) The township planning commission shall elect its own chairman and create and fill such other offices as it may determine The commission may make and alter ru'es for its procedure consistent with the ordinances of the township and the laws of the Commonwealth It shall keep a record of its resolutions transactions findings and determinations which record shall be a public record

(b) The board of supervisors creating a planning commission shall appropriate from the general township fund in the same manner as other appropriations are made such money as in its opinion is necessary and is available for the work of the planning commission for the year in which the appropriation is made

(c) The planning commission may appoint such employes and staff as it may deem necessary for its work and may contract with planners and other consultants for such technical services as it may require

(d) As an aid to coordination of municipal planning and with the consent of the township supervisors the planning commission may enter into joint agreements with county regional or other planning agencies covering cooperative financing of planning studies and such other cooperative relationships as are necessary to attain the objectives of this artic e

(e) These and such other expenditures as may be necessary and proper shall be within the amount appropriated for the purpose by the board of township supervisors or placed at the commission's disposal from other sources

Section 2053 Development Plan Adoption (a) The planning commission shall prepare and adopt a plan of development for the township The plan with accompanying maps charts drawings and descriptive matter sha l show the commission's recommendation for the development of the township It may show the commission's recommendations for the most desirable use of land for agricultural residential recreational commercial industrial and other purposes for the most desirable density of population in the several parts of the townships for a system of principal thoroughfares parkways bridges streets and other public ways for airports parks playgrounds and public grounds for the general location and extent of facilities for water sewage light power transit and other purposes whether publicly or privately owned for the general location character and extent of community centers and neighborhood units and for the re p anning of blighted and slum areas for the extent and location of public projects and for such other things as in the opinion of the commission are of public concern

(b) The development plan shall be based on studies of the physical social economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated deve opment of the township and the general welfare and prosperity of its people

(c) As the work of preparing the whole development plan progresses the commission may from time to time adopt parts thereof any such part to cover one or more major sections or divisions of the township or one or more of the functional matters to be included in the plan The commission may from time to time amend extend or add to the development plan The planning commission shall wherever possib'e cooperate with the county planning commission if one exists It shall be the duty of the commission to file a copy of all maps and plans and amendments thereto adopted by the commission with the county planning commission within thirty (30) days of the completion of such maps or plans

Section 2054 Official Map and Procedures Relative Thereto (a) The board of supervisors may establish as the official map of the township any part of the development plan with respect to the location and width of streets highways and parkways and the location and extent of public parks and playgrounds Establishment shall be by ordinance after public hearing with notice of such public hearing to be published in a newspaper of general circu'ation in the township at least ten (10) days prior to the hearing Such map subject to amendments as hereinafter provided is to be deemed official and conclusive as regards the above subject matter and is hereby declared to be established to conserve and promote the public health safety morals and general welfare

(b) The planning commission shall have power to make or cause to be made from time to time surveys for the exact location of the lines of new extended widened or narrowed streets the newly proposed or changed outer limits of parks playgrounds freeways and parkways in the whole or any portion of the township and to certify to the board of supervisors a plat or plats of the areas thus surveyed on which are indicated the location of the lines recommended by the planning commission as the mapped boundaries of future public areas for placing on the official map of the township

(c) The board of supervisors may be resolution whenever and as often as it may deem it for the public interest change or add to the official map of the township Before changing or adding to the official map the matter shall be referred to the planning commission for its recommendation If the planning commission shall not make its recommendation thereon within thirty (30) days

after such reference it shall be deemed to consent thereto

(d) Upon the receipt of the recommendation of the planning commission or upon the expiration of thirty (30) days after reference to the planning commission the board of supervisors may hold a public hearing on the proposed change in or addition to the official map and if such hearing is to be held shall cause notice of the hearing to be published in a newspaper of general circulation in the township at least ten (10) days prior to the date of the hearing At such public hearing all interested parties shall be given an opportunity to present their views prior to the final vote upon the resolution providing for the change in or addition to the official map Upon final passage of the resolution the changes or additions shall become a part of the official map of the township

(e) The acceptance or approval by the township under the provisions of laws other than those contained in this section of the locating laying out widening or closing of any public way or area designated above as part of the official map shall be deemed to be a change or addition to the official map The placing of a boundary line of any public way or area upon the official map shall in no way constitute an opening establishment taking or acceptance of any land for a public use

(f) For the purpose of preserving the integrity of the official map of the township no permit shall be issued for any building in the bed of any street shown or laid out on the official map except that when the property of the applicant of which such reserved location forms a part cannot yield a reasonable return to the owner unless such permit be granted the zoning board of adjustment in any township which has established such a board may in a specific case by the vote of a majority of its members grant a permit for building in such street which will as little as practicable increase the cost of opening such street or tend to cause a change of the official map and the board shall impose reasonable requirements as a condition of granting the permit so as to promote the health morals safety and general welfare of the public In any township in which there is no board of adjustment the board of supervisors shall have the same powers and be subject to the same restrictions as provided in this section

(g) No public sewer water main or other township street utility or improvement shall be constructed in or so as to serve any street highway parkway playground or park until the street highway parkway playground or park is duly placed on the official map

(h) No permit for the erection of any building shall be issued unless a street or highway giving access to such proposed structure has been duly placed on the official map Where the enforcement of the provision of this section would entail practical difficulty or unnecessary hardship and where the circumstances of the case do not require the structure to be related to existing or proposed streets or highways the applicant for the permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any township which has established such a board or in townships where there is no board of adjustment to the board of supervisors and the same provisions shall apply to such appeals and to such board as are provided in cases of appeals on zoning regulations The board may in passing on such appeal make any reasonable exception and issue the permit subject to conditions that will protect any street or highway layout

Section 2055 Land Subdivisions (a) When subdivision regulations have been adopted by the township supervisors under authority granted by Article XII-A of the Second Class Township Code the supervisors before approving plans for proposed subdivisions shall refer such plans to the planning commission if any for its recommendation

(b) If the planning commission shall not make its recommendation thereon within thirty (30) days after such reference it shall be deemed to consent thereto

Section 2056 Zoning In any township where a township planning commission has been or shall be established the board of township supervisors may in lieu of establishing a zoning commission as provided in Article XX of the Township Code confer and impose on the township planning commission all of the powers and duties conferred by this act upon township zoning commissions

Section 2057 Miscellaneous Powers (a) The township planning commission may make reports and recommendations to the Board of Supervisors agencies and citizens regarding public and private improvements in relation to its plans and general community development It may publish the development plan or sections thereof and such other reports and recommendations as in the opinion of the commission are necessary to attain the objectives of this article The commission may yearly recommend to the supervisors a long-range program of public improvements together with a long-range financial plan

(b) All public officials shall upon request furnish to the commission such available information as the commission or its staff may require for its work

(c) The commission or its employes may while performing necessary work enter upon any land in order to examine or survey it or to place and maintain necessary temporary markers thereon

(d) In general the planning commission shall have such powers as will reasonably enable it to carry out its purpose and promote township planning

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher.
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,

Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 970 as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended by adding after section 3107 a new section to read as follows

Section 3107.1 Salary of Members of Board of Adjustment Each member of the board of adjustment may receive an annual salary which shall be fixed by the board of township commissioners and shall not exceed one-half the amount of salary received by the township commissioners

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Verona,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C.,
Geer,	Mahan,	Schmidt,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1003, Printer's No. 187,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1009 as follows:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 272 Payment of Costs in Certain Cases In case any fish warden or any other officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of the fine the [county in which the case is heard] Pennsylvania Fish Commission shall pay the costs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1021, Printer's No. 189,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1095 as follows:

An Act to add section seven hundred twenty-three point one to the act aproved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any prisoner to hold a guard or any other person as a hostage in a penal institution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article VII of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal lawas of the Commonwealth" is hereby amended by adding immediately following section seven hundred twenty-three thereof a new section to read as follows

Section 723.1 Holding a Hostage in a Penal Institution Whoever being imprisoned in any penal or correctional institution located in this Commonwealth by threats coercion intimidation or physical force takes or holds or carries away or decoys or entices away or secretes any person as a hostage or for any other reason is guilty of a felony and upon conviction thereof shall be sentenced to undergo imprisonment by separate and solitary confinement at labor for the term of his or her natural life or to pay a fine not exceeding ten thousand dollars ($10,000) and undergo imprisonment by separate and solitary confinement at labor for any term of years

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1172, Printer's No. 192,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 122, as follows:

An Act to amend the third paragraph of Section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of Section 220 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 179) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees

[For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth] Any person serving or who has served in the armed forces of the United States during any part of any war or the armed conflict in which the United States is now engaged in Korea and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued a license as above provided without the payment of said license fee provided for the use of the Commonwealth

* * * * *

Section 2 Subsection C of Section two hundred twenty-one of said act as added temporarily by the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 46) is hereby reenacted and amended to read as follows

Section 221 Non-Resident and Alien Non-Resident Fishing License Fees Tourist Fishing License Fees for Non-Residents and Alien Non-Residents

* * * * *

C Any peson serving or who has served in the armed forces of the United States during any part of [the] any war or the armed conflict in which the United States is now engaged in Korea and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued such license as provided in subsections A and B of this section without the payment of the said license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank and the hospital to which he is attached and a certificate from the person in charge of the hospital or other place in which such person is confined or to which he is attached

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Watkins,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Worley,
Filo,	Limper,	Richter,	Yeakel,
Flack,	Lippincott,	Rosen,	Yetzer,
Fleischman,	Lopresti,	Rovansek,	Young,
Floyd,	Lovett,	Royer,	Zeitz,
Flynn,	Lutty,	Rubin,	Ziegler,
Frost,	Maguire,	Sarraf,	Smith, C. C., Speaker
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 112.

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, lines 1 and 2 by striking out on line after the word "effective" the word "thirty" and on line 2 the words "days after final enactment" and inserting in lieu thereof the words "on the first day of January one thousand nine hundred fifty-four."

On the question,

Will the House concur in the amendments made by the Senate?

COMMUNICATION AND BILL LAID ON TABLE

Mr. SCOTT. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 885.

An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing in certain cases appointment of registered surveyors not resident in the county to boards of viewers in counties of the eighth class

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT FROM COMMITTEE

Mr. HELM from the Committee on Rules reported as committed a Senate Resolution relative to the inactivation of Indiantown Gap Military Reservation.

SENATE MESSAGE

INACTIVATION OF INDIANTOWN GAP MILITARY RESERVATION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 4, 1953.

Whereas, Congress proposes to inactivate the Indiantown Gap Military Reservation, and

Whereas, This reservation is the only military installation in Pennsylvania used for training very large groups of soildiers; and

Whereas, Subsequent to the cessation of hostilities after World War II, Indiantown Gap Military Reservation was inactivated and was activated again about February 1, 1951 at a great cost to the Federal Government; and

Whereas, The reservation is ideally located from the standpoint of obtaining supplies, civilian employes, housing for officers and enlisted men, transportation and recreation; and

Whereas, The inactivation of Indiantown Gap Military Reservation will have a great adverse effect on the economy of the communities within a radius of thirty miles of the reservation; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to reconsider the inactivation of Indiantown Gap Military Reservation; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. GOODLING. Mr. Speaker, I certainly did not propose to stand before this microphone this morning, but as the Clerk was reading that resolution the thought occurred to me—how inconsistent can we become in this House and Senate?

I have heard the word "economy" used here more this year than I ever have, I think, since I have been here. Here is one place that the Federal government is trying to economize, and who are we that we should tell them not to do it?

I do not know how anyone else feels in this House, but so far as I am concerned I am voting against the resolution.

Mr. ANDREWS. Mr. Speaker, a prophet has been born in Israel. For the first time in this Session I have heard what should be the Democratic position; what should be the Republican position concerning resolutions of this kind.

It had not been my thought as a member of the minority party to oppose this resolution, although I am so thoroughly in agreement with what the gentleman from York has said that perhaps I would have been remiss had I not risen in my place to say what he has said.

We are all for economy in Indiana, in Ohio, in Oklahoma and California. And we are all for the program and policies of the Eisenhower administration and the wonderful crew of businessmen he has rallied to his support, if they do not step on any of our local toes.

I agree with the gentleman from York that it is sheer effrontery for the gentlemen in the Senate or the Members of this House to express official disagreement with the mature plans the military may have made for the

training of the enlisted personnel comprising our armed forces.

We have just as much right to memorialize the Congress that if they are sending anybody to Korea, the military shall be forbidden to send anyone from Pennsylvania, as we have to tell Congress that those in charge of our military program, those who are supposed to minimize expenses in the foreign field, shall not, because of a minor local inconvenience, and because we might show a loss of face because we cannot perpetuate a military situation that the military authorities have said is no longer useful.

Since the question has been raised, Mr. Speaker, in my opinion this is a measure that should be passed upon by the entire membership of this House. It is not a measure, since the issue has been raised, upon which I desire that the minority Members be recorded as a whole. And since the issue has been raised, it is my thought that there should be a roll call that will record the sentiment of this House upon this question. We shall not consent to a voice vote or to a vote that records every Member of this House in favor of this resolution.

COMMUNICATION LAID ON TABLE

Mr. HELM. Mr. Speaker, I move that the communication from the Senate be laid on the table.

The motion was agreed to.

ADJOURNMENT

Mr. PEIFLY. Mr. Speaker, I move that this House do now adjourn until Monday, May 11, 1953 at 3:30 p.m. E.S.T.

The motion was agreed to, and (at 10:24 a.m. E.S.T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, MAY 11, 1953. No. 37.

SENATE

MONDAY, May 11, 1953.

The Senate met at 3:00 o'clock p, m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. L. HERDMAN HARRIS, III, Rector of St. James Memorial Church, Titusville, offered the following prayer:

Let us pray.

O God, the Father of our Lord, Jesus Christ, our only Saviour, the Prince of Peace, give us grace seriously to lay to heart the great dangers we are in by our unhappy divisions. Enable us to see that we may contribute to the advancement of Thy kingdom only in so far as we represent Thy opinions and thoughts.

Take away all hatred and prejudice and whatsoever else may hinder us from Godly union and concord, that, as there is but one body and one spirit, one hope of our calling, one Lord, one faith, one God and Father of us all, we may be all of one heart and one soul, united in one Holy bond of truth and peace, of faith and charity, and may with one mind and one mouth glorify Thee, through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. KOPRIVER, JR., because of important personal business.

Mr. SILVERT asked and obtained leave of absence for Mr. McCREESH, who is in Philadelphia receiving an award from an organization for the blind.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF MILK CONTROL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles J. O'Loughlin, 1218 Wade Street, Aliquippa, Beaver County, for reappointment as a member of the Milk Control Commission, to serve until May 1, 1957, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eleanor F. M. Scattergood (Republican), 418 North Matlack Street, West Chester, Chester County, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Ellen W. Krauss, West Chester, whose term expired.

JOHN S. FINE.

RECORDER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George M. Elsesser, Jr., 241 South Russel Street, York, York County, for appointment as Recorder of Deeds in and for the County of York, to serve until the first Monday of January 1954, vice Fred O. Strine, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roy C. Gregory, 307 West Market Street, Mercer, Mercer County, for appointment as Justice of the Peace in and

for the Borough of Mercer, Mercer County, until the first Monday of January 1954, vice Thomas K. Miller, resigned.

JOHN S. FINE.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry W. Lorenz, 213-05 39th Avenue, Bayside, Queens, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years to compute from the date of confirmation.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Crawford H. Simmers, 1632 Chestnut Street, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of North Cornwall, Lebanon County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 581, entitled:

An Act to amend Section 3 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permiting any such corporation incorporated prior to one thousand eight hundred seventy-four, to change its name without filing a certificate accepting the Constitution of Pennsylvania and the provisions of said act.

Which was committed to the Committee on Judiciary General.

House Bill No. 591, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905 entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing requirements and penalties concerning lamps illuminating devices and reflective materials

Which was committed to the Committee on Highways.

House Bill No. 796, entitled:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 965, entitled:

An Act to add Article XX-A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the creation of planning commissions and prescribing their powers and duties.

Which was committed to the Committee on Local Government.

House Bill No. 970, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment.

Which was committed to the Committee on Local Government.

House Bill No. 1009, entitled:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1095, entitled:

An Act to add section seven hundred twenty-three point one to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a felony for any prisoner to hold a guard or any other person as a hostage in a penal institution.

Which was committed to the Committee on Judiciary General.

BILLS INTRODUCED AND REFERRED

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 559, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the court and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the use and administrative control of uniform summons and information forms, prescribed by the Secretary of Revenue, for use in cases involving traffic violations.

Which was committed to the Committee on Highways.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 560, entitled:

An Act to further amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State Liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by further regulating the licensure requirements of residence and citizenship of malt and brewed beverage manufacturers, distributors, and importing distributors.

Which was committed to the Committee on Corporations.

Messrs. SILVERT and MALLERY read in place and presented to the Chair Senate Bill No. 561, entitled:

An Act to amend Section 306 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors, estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by providing for an additional disqualification of persons petitioning for appointment as personal representative.

Which was committed to the Committee on Judiciary General.

Messrs. HARE, SNOWDEN and WOOD read in place and presented to the Chair Senate Bill No. 562, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled"An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistant and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Nurse, Barber, and Cosmetology Examiners; presribing its membership, powers and duties; and abolishing the existing boards.

Which was committed to the Committee on State Government.

Mr. McMENAMIN read in his place and presented to the Chair Senate Bill No. 563, entitled:

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act to amend Section 402 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by making hearing examiners subject to the "Civil Service Act".

Which was committed to the Committee on Law and Order.

Messrs. LEADER and DIEHM read in place and presented to the Chair Senate Bill No. 565, entitled:

An Act to further amend the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by eliminating the present system of local registration of electors by registrars appointed by the commission, and the canvass of registered electors; providing for the registration and party enrollment of electors by local assessors and persons appointed by political subdivisions to make annual lists of taxables; fixing the compensation thereof to be paid by the commission.

Which was committed to the Committee on Elections.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, the bills which I am about to introduce have both been recommended by the Philadelphia Bar Association.

BILLS INTRODUCED AND REFERRED

Messrs. SILVERT and KEPHART read in place and presented to the Chair Senate Bill No. 566, entitled:

An Act dealing with the temporary detention of persons arrested, the treatment of accused; providing for prompt preliminary hearings; establishing certain penalties and rules of evidence, and imposing duties on prosecuting officers and police.

Which was committed to the Committee on Judiciary General.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 567, entitled:

An Act prohibiting the admission in criminal trials of a defendant's criminal record to affect his credibility as a witness, except under certain contingencies.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, these are two bills designed to provide expenses for animal shelter in localities. All of us these days are asked to contribute funds to a great many worthy causes. This is one way to help a worthy cause without costing any of us anything directly.

Mr. President, the purpose of these bills is to allow each county to retain one-quarter of the moneys collected by the county treasurers in the sale of dog licenses, and the other is to authorize county commissioners to appropriate from those funds retained in the general county funds all or a part of that to nonprofit organizations, within each county, which have as their purpose the care and shelter of animals, particularly dogs.

Mr. President, in each county there are humane societies, and animal rescue leagues, and societies for the prevention of cruelty to animals and that sort of organition, which are all very worth-while organizations, in my opinion. I think any of us who, on a cold wintry night, have seen a cold, shivering, hungry little dog will certainly feel sympathetic to the purpose of these bills.

BILLS INTRODUCED AND REFERRED

Messrs. McMENAMIN, WATKINS, BARR and DENT read in place and presented to the Chair Senate Bill No. 568, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing appropriations of certain funds to non-profit corporations providing care and treatment to animals.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 569, entitled:

An Act to further amend the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain

cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by authorizing county treasurers to retain twenty-five per cent of all license fees and fines collected under said act for general county purposes

Which was committed to the Committee on Local Government.

Mr. FREED read in his place and presented to the Chair Senate Bill No. 570, entitled:

An Act to further amend Section 202 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescriped fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating applications for certificates of title.

Which was committed to the Committee on Highways.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 571, entitled:

An Act to amend clause (2) of section 204 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by extending the provisions relating to change of classification of school districts.

Which was committed to the Committee on Education.

Mr. MADIGAN read in his place and presented to the Chair Senate Bill No. 572, entitled:

An Act to further amend Section 18 of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for filing summaries of audits, and for annulling, vacating or forfeiture of articles of association or associations failing to file such summaries.

Which was committed to the Committee on Agriculture.

He also read in his place and presented to the Chair Senate Bill No. 573, entitled:

An Act to further amend Section 17 of the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for filing summaries of audits; and for annulling, vacating or forfeiture of articles of association failing to file such summaries.

Which was committed to the Committee on Agriculture.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 574, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Penna., January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons to be Members of The County Board of Assistance, for the terms set opposite their names:

LEHIGH COUNTY

(Mrs.) Blanche Hopkins, Slatington, from February 19, 1952, until December 31, 1953

(Mrs.) Marion S. Leidig, Bethlehem, from February 19, 1952, until December 31, 1954.

Victor L. Johnson, Allentown, from February 19, 1952, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Penna., January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Ralph B. Hess, Bethlehem, from July 30, 1952, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Penna., January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

William S. Troxell, Allentown, from September 22, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Mr. WATSON, from the Committee on Executive Nominations, also reported the following communication from His Excellency, the Governor, which was laid on the table:

RECALLING NOMINATION OF CHARLES S. STORER AS MEMBER OF BOARD OF TRUSTEES, SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 10, 1953, for the appointment of Charles S. Storer, Elizabeth, Allegheny County, as a member of the Board of Trustees of Slippery Rock State Teachers' College, to serve until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice John Evans Rose, Edgeworth, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

REPORT OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Mr. WATSON. Mr. President, I ask unanimous consent to submit a report at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON. Mr. President, I submit the Annual Report to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey by the Delaware River Joint Toll Bridge Commission.

The PRESIDENT. The report will be noted in the Journal.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for ten minutes, for the purpose of holding meeting of the Judiciary General Committee.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

At this time, the Chair invites the gentleman from Clearfield, Mr. Letzler, to the rostrum to preside.

The PRESIDING OFFICER (A. H. Letzler) in the Chair.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, for the information of the Senate, the bill which I am about to report from committee is one of the bills dealing with the changes in the adoption law. The committee has been working on it since the public hearing, and these are the amendments which have been suggested by the committee at this time.

I would like to say, Mr. President, for the information of the Members of the Senate, that it is the recommendation of the committee that after the bill is printed as amended it remain on the Second Reading Calendar for a couple of weeks, until the Members of the Senate have had an opportunity of checking the bill and checking the amendments to see whether or not the committee has met all of the objections which were voiced at the public hearing.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as amended Senate Bill No. 480, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption," by defining certain terms; imposing powers and duties on the Department of Welfare, requiring reports concerning receiving children for adoption, and investigation thereof, changing contents of petition for adoption, providing procedure for the voluntary relinquishment of, and for the finding of abandonment of, certain children; eliminating certain consents to adoption; and further providing for hearings and investigatory powers of the court.

PETITIONS AND REMONSTRANCES

Mr. WADE. Mr. President, no one can deny that the unsolved financial situation of our Commonwealth has already extended the length of this Legislative Session, nor that it is by far the most important problem facing us in our deliberations.

For several bienniums, Mr. President, we have been generous in our dealings with the Commonwealth's political subdivisions. Some believe, and are quite outspoken in this belief, that we have been generous beyond proper prudence. As for myself, I have favored and voted for better educational facilities, good hospitals and other welfare services, clean streams and a soldiers' bonus. However, I have ofttimes criticized the large expenditures for these programs without the proper current revenues or income program paralleling the expenditures

Mr. President, an article appearing in the May 9, 1953, last Saturday, issue of The Philadelphia Inquirer, page 20, written by Mr. Leonard J. McAdams, Inquirer Financial Writer, has come to my attention. This writer reported a meeting of the New Jersey Bankers' Association on May 8, last Friday, which was addressed, among others, by Governor Driscoll of New Jersey, and quoted him under the subheading "Driscoll Praises Bankers" as saying:

"The bankers were praised by Governor Alfred E. Driscoll for their help on State financial problems, 'illustrative of the contributions that public-spirited citizens make to the cause of good government.'

"During the past six and one-half years," the governor said, "we imposed neither an income tax nor a general sales tax. The unemployment tax was adjusted down-

ward and we completely abolished the State tax on real estate. To offset this loss in revenue, we imposed a modest tax on cigarettes. New Jersey taxpayers enjoy the smallest per capita State tax collection of any State in the Nation.

"It is a poor government that can only meet the demands of its adherents by overwhelming indebtedness year after year. We have balanced our budget in New Jersey and we have lived within our income."

Now, gentlemen, to accept this short statement by the distinguished Chief Executive of our neighboring State of New Jersey, without further explanation or detail, could be quite disturbing to all, Republicans and Democrats alike, and might lend solace to any who make their own quick and ofttimes prejudiced analysis of our Commonwealth's General Fund Budget, especially if they are looking for an escape from voting for taxes. Of course, Governor Driscoll did not specifically mention Pennsylvania. His, rather, was a general indictiment of governments which he says only meet the demands of its adherence by overwhelming indebtedness year after year.

I should not say "ofttimes prejudiced," Mr. President, without going into a little more detail. It is easy, extremely easy indeed, for members of any minority to vote for all popular expenidtures, then vote against unpopular revenue raisers, alleging that income from present tax measures are underestimated, even though biennium after biennium rolls around with proof that they were estimated about as closely as humanly possible for anyone to predict thirty months ahead.

I am alarmed, Mr. President, as you are, at the present cost of government, at its accelerated increase over the last decade, but I am more alarmed about the increased percentage of National income that all governments, National, State and local, are taking from the American taxpayer whether he be an individual, corporation, unincorporated business or other, and whether it is in direct or hidden taxes. Reliable sources maintain that we have been taking about 30% of the National income and at the same time going in debt. Yes, the last decade has shown tremendous debt increases on the National level, $35,000,000 every time the sun went down for twenty years. I repeat, every twenty-four hours.

Now, let us get back to the statement, or boast, Mr. President, of Governor Driscoll as to New Jersey, and make some comparisons of our own Commonwealth.

New Jersey State has a lower per capita state tax collection than Pennsylvania. This is shown in the recent report of the Pennsylvania Tax Study Committee to be $33.73 compared with $50.87 in Pennsylvania. I repeat State tax collection. However, it should be said that in Pennsylvania the State supports functions of government to a much greater extent than does the State of New Jersey, or, putting it another way, New Jersey shoulders upon local government the financial responsibilities of carrying on government functions to a much greater extent than does Pennsylvania.

Public Assistance is a good illustration, Mr. President. Pennsylvania carries the whole load. In New Jersey, local governments are chiefly responsible. Of course, in both States the Federal government contributes a portion. In Pennsylvania, in 1951-1952, the State paid 42% of the total current cost of the public schools. New Jersey paid only 17%, less than one-third as much. When State and local tax collections are taken together, we find, as shown in the Tax Report, that Pennsylvania has a lower per capita than New Jersey. Pennsylvania in 1951 had a per capita of $99.55 as compared with $118.21 in New Jersey.

The Pennsylvania Tax Study Report shows that of the fifteen States compared, California, Connecticut, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin, the per capita cost of State Government in Pennsylvania was third from the bottom, and in total State and local taxes the Pennsylvania per capita was fourth from the bottom; Virginia, West Virginia, and North Carolina only having lower per capitas.

Mr. President, the Pennsylvania Tax Study Report refers to a study made by the Michigan Tax Study Committee. An analysis by the Michigan Committee compared total taxes with population and income payments recently in Illinois, Indiana, Michigan, New Jersey, New York, Ohio, Pennsylvania and Wisconsin. The study concluded that, both on a per capita and an income basis, total taxes, including liquor store profits, were lower in Pennsylvania than in any other of the several States compared.

Pennsylvania has never imposed an income tax, Mr. President. True, we had a sales tax, but it was limited by law to only six months. The unemployment tax was adjusted in 1943 by establishing the merit rating system, saving employers about $150,000,000 in the 1943-1945 biennium. The State real estate tax was abolished in Pennsylvania back in the last century.

As Governor Fine said, addressing the Tax Institute here recently, last Thursday to be exact, "Pennsylvania is not the only State that has tax problems. All the States have them. State costs went up rapidly during the inflationary period following the war along with all other costs. In 1945, the States spent $3.7 billion. In 1951, a total of $10.020 billion was spent. This is an increase of 170%.

The Pennsylvania Tax Study Report shows that the increase in Pennsylvania was 94%, as compared with the increase in California of 247%; New York 128%; Maryland 323%; Michigan 223%; and North Carolina 354%.

Now, Mr. President, with your indulgence, I should like to talk about ourselves very briefly, our very own family. If there is any one trait that runs through the entire group of so-called politicians, regardless of party affiliation, regardless of what district or section they represent, it is their love for a good clean contest, a good clean competitive sport, whether it is a football game, a hockey contest, baseball, boxing or wrestling match, a horse race or what have you. It holds a genuine interest for all Members of our Legislative body, so long as it is clean, competitive and wholesome.

Now, admitting that is true, let us apply it to our present situation, Mr. President. We have a red-blooded Pennsylvanian over in the front office, human like the rest of us, never claimed by anyone to be superhuman, who was proudly inaugurated as our Chief Executive a little over two years ago. Hardly had he occupied the office than fate dealt him a crushing blow. Then, when he needed a friend, those of his Party who had cheered the loudest seemed to expect the superhuman. Individ-

ually, I had been a candidate on the opposing side in the primary. I did not vote for or support him then, but I did support him in the fall election. Many of you, my fellow Republican colleagues, undoubtedly helped him in both primary and general elections, which was your privilege. To my Democratic colleagues, you are somewhat in a similar position as I was in the primaries, but now, May 11, how about fair play? It is your Pennsylvania, the same as it is Governor Fine's.

Answer this, please, to yourself. Did you vote on the Senate floor and/or in the booth for the soldiers' bonus, and tell the boys who were fresh back home from protecting you and me, and our way of life which we love and talk about so much? I am prepared to tell you just how much of that bonus went to the boys and girls in your district, and how much is due to meet the debt this biennium. The over-all total is $58,110,000.

Did you advocate during campaigns or vote in the Senate for better salaries for teachers, better school buildings, generally a better educational system, for those kids at home that you talk about helping when campaigning?

Did you ever complain about hospital facilities, either State or local, when constituents appeals to you to help them gain admission to an already filled State institution or local hospital? Of course, you know a generous amount of their maintenance comes from the State level.

Regardless of which political party you adhere, have you tried to appease every whim of your constituency when they approached you for these valued State services which we enjoy in Pennsylvania? If you did, in doing so you recognized that State appropriations were necessary to furnish them.

Mr. President, here we are now face to face with this situation. Former Sessions imposed upon this Session obligations because of previous grants which local subdivisions have an inherent right to expect will continue. As to these obligations, we can excuse only those members serving their first Session.

Recently, the Legislature established a precedent, Mr. President, perhaps not a good one, of mandating teacher salary increments and assuming a portion of the local requirements for school buildings, returning certain funds for police protection, returning certain other funds for police and firemen's pensions, making cash payments to local hospitals for free services, caring for the aged, the blind, the dependent children, and those on relief, to mention just a few of the obligations.

Two alternatives, therefore, face us, Mr. President. First, we are going to meet our obligations as previously agreed upon, or we are going to cause complete disruption of local governments, and tremendously increase their financial burdens. In addition, our failure to meet these obligations will seriously disrupt State services to the people. This combination will bring down a torrent of criticism, the like of which we have never experienced. This criticism will fall on all heads, Republican and Democrat alike. The only classification necessary is that you are a Member of this present Assembly, either the House or the Senate.

Mr. DENT. Mr. President and Members of the Senate, last week I was detained at home for some very urgent business. While I was away, a statement was issued to the press calling to the attention of the citizens of Pennsylvania the so-called dereliction of the Democratic Minority in the General Assembly.

Mr. President, I do not know whether it was intuition or what prompted me to do so, but Wednesday morning I dictated to my girl a statement which I intended for release today. It so happens that the statement fits in very nicely with the events as they have occurred.

The Democratic Party, Mr. President, as represented in the General Assembly by the eighteen Democratic Senators and the ninety-eight House Members, is not unmindful of its duties or its obligations to the people of the Commonwealth of Pennsylvania. However, in keeping in mind the present day needs and requirements, they are also very apprehensive about the future and what it brings to Pennsylvania if an unlimited, illogical tax program is foisted upon the people during this Session of the Legislature.

Mr. President, your Democratic Minority in the House and Senate has studied the requirements, as well as the possible means of meeting these requirements for the present, without placing too great a burden upon any segment of our population, whether it be business, agriculture or upon our industrial activities in the Commonwealth.

We believe Mr. President, that before a tax, such as a sales tax, is put upon the statute books with all of its hidden pools of danger left unprotected, there should be a Constitutional Convention called. During this convention, deliberation on a broad range of taxes could be discussed and if, in the wisdom of the delegates assembled, a particular tax or taxes are found to be advisable and necessary, then that Constitutional Convention can place a ceiling upon the amount of taxes that can be charged in any Session of the Legislature. Then, any future increase in the percentages of taxation under any broad base plan would have to pass a referendum of the people of this Commonwealth. We will not be intimidated or bullied into passing any legislation that will create taxation without limitation.

After much study and deliberation, Mr. President, we find that because of deliberate contradictions of all of the counsel and advice offered by the Minority Party in the past sixteen years, relating to the fiscal problems of this State, we find ourselves in such a mess that in order to meet the Duff mandated mortgage payments on the government of Pennsylvania, we must do two things. First, we must, to the best of our ability, put expenditures through the wringers and squeeze in every economy that can be put into effect on such short notice without damaging needed services to the people of the Commonwealth. Second, we must take into consideration relative ability to pay. We must also recognize that the present financial emergency has been inherited from the Duff administration.

Mr. President, the Republican Party, with its majority in the House and Senate, failed in the first biennium of Governor Fine's administration to pass the needed required revenues to maintain the payments on the Duff mortgage, and to date in this Session of the General Assembly it has failed utterly and miserably to provide a comprehensive, sound or even haphazard or unsound program

that would bring an end to the financial dilemma into which the Commonwealth has been thrust.

Mr. President, the records clearly show that during the Duff administration, the Democratic Minority demanded that revenues be provided for the payment of the soldiers' bonus and the mandated teachers' subsidy increases.

There is no secret formula, Mr. President, that can solve the State's problems. The State government is big business. Rightly or wrongly, the State's business is in hock. The responsibility for this financial distress must be placed squarely where it belongs, upon the shoulders of the Republican leadership. However, having recognized these facts, it comes the duty of all of the Members of the General Assembly to work towards meeting the interest payments, as well as paying upon the principal of the Duff mortgage.

Up until this moment, Mr. President, the Democratic Minority has not participated in any discussions designed to solve the State's fiscal problems, because the Republican Majority first took the position that any tax program must be a Republican program. Having failed in this, they now seek to place the blame for their failure upon the shoulders of the Democratic Minority. We are fully aware of the needs and are more than willing to make our contributions toward an early solution of the problem.

In doing so, however, we will not as a party desert our historical position, Mr. President, of placing the greater cost of government upon those best able to pay and of rendering service that will give the greatest good to the greatest number.

Mr. President and Members of the Senate, we are again faced with the situation that we headed up just about two years ago. During that time, there was a great deal of talk. It was in again, out again, off again, back again. We ended up by staying in Session a full year. At the end of that time, we still had to go into a haphazard tax program, a patchwork job. I am very fearful that we are heading in the same position.

The reason for this, Mr. President, is because someone takes the position that this is the only type of a program that we can advance. That is not true. There are 258 Members of this General Assembly. They do not all have to be for one particular type of a program. With the fine men which they have in the House, why has there not been more than one set of tax legislative programs put forth so that a choice could be made, so that a selection would be had. You cannot blame the Democratic Minority in the House or in the Senate for your failure to mass sufficient votes to pass a sales tax, because that is the only program which you have advanced up to date.

Mr. President, the worthy gentleman who just spoke, I think, pointed up some very fine points in his talk before the Members of the Senate. I noted here, as he was going through his talk, one point in particular, where he said, and I would like to quote from it. He said: "Republicans and Democrats alike, to any who make their own quick and ofttimes prejudiced analysis of our Commonwealth's General Fund Budget, especially if they are looking for an escape from voting for taxes."

Mr. President, I have asked one of the members on my side, not having the time myself, to go back into the record books and to bring to the Senate floor this afternoon a record of how we have voted on tax legislation, in order to show to the Members of the Senate that the Minority has not voted against all tax measures and for all appropriations. We have taken the sound position that when a tax was sound, we voted for it. When appropriations were sound, we voted for them, too, but, Mr. President, we cannot be put into a wholesale category of voting for all appropriations and against all taxes. It simply is not true. The records prove that it is not true.

Mr. President, he further said, and I quote: "I should not say 'ofttimes prejudiced' without going into a little more detail. It is easy, extremely easy indeed, for members of any minority to vote for all popular expenditures, then vote against unpopular revenue raisers, alleging that income from present tax measures are underestimated, even though biennium after biennium rolls around with proof that they were estimated as closely as humanly possible."

Mr. President, in 1947 I took the floor and said that the budget was a false vehicle. I said that the expenditures were being overestimated and the revenues underestimated. In 1949 I took the same position and what happened, Mr. President? The outgoing Governor of the Commonwealth said that there would be a surplus of sixty-eight millions of dollars, and no person in this room can tell me what the surplus is in Pennsylvania because, under the bookkeeping setup which we have in this Commonwealth, nobody knows how much money is left in the till at the end of any biennium. The expenditures overlap, the drafts overlap. No person makes any accounting. We give blanket and blank appropriations to the departments. They are not accountable to the General Assembly; they come in and ask for $3,300,000 and they break it down something like this, Mr. President. Here is a department asking for $411,000, and they go on to say:

"Grade 23 Director, $8,100; for the biennium $16,000. Board Members, $11,000 for two and $12,000 for another is $68,000 for the biennium."

Mr. President, all I have to say is this. If you will take this and you will look at it, you will find that all of this shows a grand total of $411,950, and everyone of the items is nothing but a payroll expenses. There is nothing in here whatsoever for overhead, there is nothing in here whatsoever for stamps, for transportation or for any of the other incidental expenses that go into the running of a department. That is all we are given as Members of this Senate to vote upon when we have an appropriation asked for from any department. This is just one of the instances. You do not know and you cannot know how much money these departments spend or for what they spend it. No person in this room knows, because when we ask for any details this is all that we can get.

Mr. President, I repeat now, as I have time and time again upon the Senate floor, that we overestimate our needs and underestimate our revenue. It has been the trick which has peen used for the eighteen or nineteen year sthat I have been here. That is exactly what we are up aginst today. It is one of the basic reasons for us finding ourselves in this dilemma. You cannot expect this group of members of the Democratic Party to vote for a broad base or any other type of a State-wide tax without first placing upon that tax a constitutional limitation.

Oh, yes, Mr. President, you talk about a one per cent income tax without any limitation or any restriction on a future General Assembly. If we have had the courage in the past to pass on to the future Legislature a mandated

mortgage, which we are now facing the difficulty of meeting the payments on the principal and the interest, then is there any reason why we would not just, by the same method, give them a carte blanche of an income tax or sales tax which they could just keep raising gradually and gradually until the time that it became a burden that could not be carried by the people of this Commonwealth?

So, Mr. President, I, speaking for the Democratic Minority, believe that the only way in which we can put Pennsylvania back on a sound fiscal basis is to hold a Constitutional Convention to separate those particular bills which belong to the local communities and those which belong to the Commonwealth, in order to establish the fields of taxation and the fields of activity for both local and State government. By so doing, we will know our responsibilities when we come to Harrisburg, and local authorities will know their responsibilities.

You sit here and you, just as Senator George Wade did during his talk, decry the fact that we spend a great deal of money in Harrisburg, and give it back to the local communities and assume a great many of their responsibilities. Yet, you sat right in this Senate, last week when I was not here, and you voted to send back to the city of Pittsburgh a mandated increase in their budget totaling hundreds of thousands of dollars and not one man had the courage on the other side to stand up and say, "This is improper, it is wrong." How can Pittsburgh meet its budget if we, in the Legislature, mandate the increases? You did not tell them where to get the money, you did not make any provisions, but if you keep on mandating expenses, if you keep mandating the salaries of local employees, if you keep doing that, then sooner or later you are going to take over the responsibility, because if you call the tunes you are going to pay the fiddler. That is as true as we are in this room.

Mr. President, we are not going to stand idly by and be condemned by the people of Pennsylvania because someone said that we are ducking our responsibility, that we are not cooperative. What do you mean "cooperation"? There is a great difference; there is a great, great difference between cooperation and capitulation, Mr. President. We will cooperate, but we will not just take a blank tax and say, "Either you take this or you take nothing." Then, because we will not take it, because we believe it to be unsound and we believe it would pe the wrong thing to do for the future of Pennsylvania, we are not going to stand by and be condemned for it. We are trying to use the best that we have in us for the good of the people of this Commonwealth.

Further, Mr. President, I think that it was a very interesting speech which the gentleman had thrown together for us this afternoon.

One of the things I like particularly, Mr. President, is when he went on to say that public assisstance is a good illustration. If the gentleman will remember, in 1945 I appealed to the Senate of Pennsylvania to take the Department of Public Assistance, take the categorical reliefs and put them back into the Department of Welfare where they belong, and make public assistance to those who were out of work, through no fault of their own, employable persons, make the responsibility of administration of that phase of relief the responsibility of local government.

At that time, Mr. President, I pointed out that we were spending something around $30,000,000 a biennium for administration of public assistance. Mr. President, that has not been cut down very much, It seems that no matter what we do, if the employment rolls go down and public assisatance costs go up, the average administrative cost stays pretty true around ten per cent. It seems that somebody has established that so long as they do not spend over ten per cent on a biennial pasis, they are in all right with the Appropriations Committee.

Now, Mr. President, all of us know that it should not take that amount of money to administer public assistance in Pennsylvania, especially during the wars years, because the greatest majority of the number of those who were on public assistance during these years were those who are in the catergoical groups that cannot get off of public assistance because, more or less, Mr. President, they are permanently on those rolls. They are the blind, they are the aid to crippled children, the mothers assistance and so forth. The employable persons were at a minimum during these years. However, you still kept the department, and mainly because it affords a nice billet for political patronage. That is all it is; every one of us knows it. If yop keep it, I assure you that sooner or later you are going to find it a millstone around your neck.

Mr. President, the gentleman from Cunmberland, Senator Wade, said that we pay forty-two per cent of the total current cost of public schools. That is very true, Mr. President, but this General Assembly could have taken care of that, because when the Duff bills were up, this side of the Senate was on its feet and asked that the necessary tax legislation be passed to pay that bill. We said it was unfair to pass the bonus bill and ask another General Assembly to pay for it. We said it was unfair to pass a mandated school subsidy, the increased subsidies, without putting in the legislation to provide the revenue, but would have been an unpopular political thing to do with an election coming up and Governor Duff seeking the United States Senatorship. He went into the cheapest of all political tricks, spend the money and let somebody else pay for it in the future.

That is exactly what has happened to us. We are now in this political dilemma, and this financial crisis in Pennsylvania, because of the fact, Mr. President, that we have to pay the interest and the principal on the Duff mortgage that he left on the Commonwealth of Pennsylvania. You have to have eighty-one millions of new dollars this year for school purposes alone. They were mandated by Senator Duff, and not by Governor Fine.

Mr. President. this is an interesting booklet here. He said that we have passed the unemployment tax which was adjusted in 1943, and that we saved industry $150,000,000. Which industries did we save $150,000,000? We saved the favorite industries in Pennsylvania. We did not save the whole gamut of industry in Pennsylvania, Mr. President, because the only fair way to save all of industry any appreciable amount of money in the unemployment compensation was pointed out right on the floor of the Senate by the Minority.

Mr. President, there has to be a floor and a ceiling placed on the unemployment compensation fund, and when you reached the ceiling there was a reduction for all the employers of the Commonwealth, not those who have static employment by the nature of the industry that they are in, but those who added a great deal to Pennsylvania's wealth by taking seasonable occupations, seasonable industries in this Commonwealth, and employing persons during the

busy seasons and, of necessity, must lay them off.

That particular kind of industry has been driven from Pennsylvania during the last years of the merit rating, Mr. President, We have stable industries, yes. However, remember these fringe industries also create a great deal of employment and wealth to this great Commonwealth.

Mr. President, you will never have a sound unemployment compensation policy in Pennsylvania until you get to the point where you have a common fund paid into by all and paid out to all. Under those conditions, Mr. President, all industry is treated alike and not the favorite few.

Mr. President, he also quoted that Maryland has increased 323 per cent; Michigan has increased 223; North Carolina, 350; California, 247; and Pennsylvania, 94 per cent. Does the gentleman realize that that is an indictment of the State of Pennsylvania and not a credit? These States have enjoyed the greatest amount of expansion since 1945 than they ever hoped to achieve in their history before, and that is the reason for the increases, Mr. President. Pennsylvania has not enjoyed that type of an increase since 1945. I am talking about increases in activity.

Now, of course, I come to the point that appeals to me, Mr. President. He said something about "a red-blooded Pennsylvanian over in the front office." That is very nice. He is "human like the rest of us"; we agree on that, too. He said he was "proudly inaugurated," and I think anyone can be proud to be inaugurated. Mr. President, I think the gentleman is going a little far afield when he looks over to the Democrats and says to us, "Don't you think it is time we play fair?"

Mr. President, if you sit in a game, a game that most of the men know something about, say, poker, and they start to play a wild game like they do in politics, and somebody decides in the game that he happens to have five aces and, being that he is host for the evening, he determines that five aces beats a straight flush. Then, a few hands later, when he gets the flush and you have the five aces, he says that a flush beats the five aces. That is what we are in now. Senator Wade wants the minority to carry the ball for the Majority, and yet it was the Majority that promised the people of Pennsylvania that there would be no new taxes. It was the Majority who promised the people of Pennsylvania that in order to get out of the financial dilemma we are in, we would have a Constitutional Convention. Both promises have been broken during this Session of the Legislature.

We cannot help you keep your pledges, Mr. President. We can only say to you that we are willing to do that which is best for Pennsylvania, but not that which is best for the Republican Party. Will you people forget that you are Republicans long enough to treat us as citizens? We will then, in turn, forget that we are Democrats long enough to treat you as citizens. You cannot stand over here and want the credit for that which is good and place the blame for that which is bad upon the Democratic Party. The Democratic Party wants to do everything it can to have an early adjournment of the General Assembly. However, as I said before, Mr. President, you cannot just say to us, "This is fish soup, and if you do not like fish soup, you get nothing to eat at all."

Mr. President, we do not like a sales tax. We will not vote for it because it has no limit. It is not a tax that can be stopped or controlled. If you have any kind of a tax from now on, any tax on a broad base, it must have within its original contents a limitation that can only be changed by a referendum to the people of Pennsylvania. Then you will have sound legislation upon the books.

I do not want to go back to it, Mr. President, but 99.66 per cent of our trouble at this time is caused by the passage of Act No. 481, which allowed all of the municipalities in Pennsylvania to jump into the preserves of taxation that up until Governor Duff were always kept for State purposes, knowing that the State was being called upon to pay more and more and more of the local tax problem, more of the local cost of government. It was sound, Senator Wade, it is absolutely sound, and I will tell you why it is sound. It is sound, Senator Wade, because we had a great industry in Pennsylvania.

That industry, Mr. President, if it has not died completely, is certainly on a withering vine. I am talking about the coal industry, the antharcite, particularly, and the bituminous is close on its heels. I am talking about these great communities which were built up during he heyday of this great activity of the mining industry of Pennsylvania. They found themselves in a dilemma; they found themselves where they could not maintain their schools. They could not maintain their local governments to the nature and to the tune that they were accustomed to up until that moment. Therefore, the State had to step in and, under the law, when they stepped into those communities, they had to step into all the communities of the Commonwealth.

Finding that to be true, Mr. President, the State has more and more and more interested itself in the local problem and, therefore, has been taking the money from the local communities into Harrisburg and then doling it out according to the needs in the local communities. There is nothing unsound about that. If a father has ten children and two are sick, he has to take care of the sick. He must take care of the sick if he has to do it at the expense of the well. That is exactly what we are doing in the Commonwealth of Pennsylvania. All of the counties are part of the family and we, as the parent, must take care of them.

Mr. President, I want to say, in closing, that we are not against cooperation. We are against, Mr. President, capitulation. We are not against taxation; we are against taxation without limitation.

Mr. WADE. Mr. President, I have listened with interest to the remarks of the gentleman from Westmoreland, Senator Dent, and with many of them I must agree. In the first place, his statements regarding economies in government, I think certainly that this side of the Senate has demonstrated time and again that they stand for every sound economy that can be practiced in our government.

Mr. President, this gives me the opportunity to state, as you well know, that during the last Session of the Legislature economies of some twenty-three million were effected from the Governor's budget. Of course, we all have our pet projects which must be brought in toward the end of the Session, and that increases the budget, but twenty-three million of dollars was cut from the

Governor's recommendations before the budget was finally approved.

This time, as we went into Session, we were faced with decisions on the so-called Chesterman or State Government Study. I am particularly pleased to have the opportunity to tell the Members of this Session that economies have been promised by both the Appropriations Chairmen, in the House and in the Senate, to the extent of upward of thirty millions of dollars.

The Chesterman Report advocated economies by legislative action, that is in addition to those by administrative action, of some $19,915,000. Our chairman and the various members of those committees have assured us that we will, before the Session adjourns, have economies upward of thirty millions of dollars.

Now, Mr. President, the gentleman from Westmoreland, as has been the custom in this Session for some time, immediately, when an issue is evolved, talks about shifting the departments or a Constitutional Convention. We all know that a Constitutional Convention is not going to bring any funds to the Commonwealth. As a matter of fact, estimates were given us that a Constitutional Convention would cost the taxpayers of the State of Pennsylvania somewhere around three-quarters of a million dollars.

The shifting of the departments, Mr. President, talked about by the gentleman, is another offside play. If you will take just a moment to look at your budget, you will find that the moneys recommended for the running of all the departments under the control of the Governor require or have recommended appropriations of some $78,055,000, which is only seven and three-quarters per cent of our total budget. You see, in our total budget are these various and sundry subsidies which are raised on the State level but are returned for local expenditure. With that, again, I agree with the gentleman from Westmoreland. It is a proper method of taxation.

For example, Mr. President, if we wanted to go into detail, we could talk about the school districts in Bucks County where they have recently had a very large United States Steel Plant erected. The plant, as I understand it, is located in one school district, within the confines of one school district, and many of the residents live in another or adjoining school district. That district, where the money must be raised for the education of the children, will not have the privilege of levying taxes against the plant in general. Many other illustrations could be used over the State of Pennsylvania which would point out the advisability of levying many of the taxes for school purposes over a wide area, over the entire State area. So much for that.

Mr. President, in the administration of Public Assistance, our administration stays well in line with the National pattern. A statement recently released by Mrs. Evans, the Secretary of Public Assistance, says, in substance, among other things, Pennsylvania ranked fortieth among the forty-eight States in the assistance cost per capita. We are well in line with that. We know it is going to cost something for administration, and perhaps that administration would be lower, as Senator Dent pointed out, if it were administered at a local level. So long as the public assistance program is to be administered from a State level, we can expect rather large, larger than I like to see and larger than he likes to see, larger than any Member of this Senate wants to see, administrative costs.

Mr. President, I now desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDING OFFICER. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. WADE. Senator Dent, did I understand that you would indict the State of Pennsylvania because it has not increased the State budget or, in other words, spent more money?

Mr. DENT. Mr. President, I said the fact that Pennsylvania had shown a lesser degree of increased taxation was was an indictment of the State in the face of the growth of the other States, and that was the reason that their budgets had grown so high.

Mr. President, if you know the conditions in California and Michigan and North Carolina, you know that there has been a great deal of Federal expenditure in those States for airplane factories, atomic plants and so forth. Therefore, their budgets have increased tremendously on a State-wide basis because of the increased activity within their borders. Therefore, the fact that Pennsylvania's has not increased is an indictment of the fact that we have lost a great deal of the prestige we once formerly held.

Mr. WADE. Thank you very much.

I must admit, Mr. President, that the gentleman is correct. Those States were favored by the Federal Government, and were favored politically as well, during the recent administration.

Mr. DENT. Mr. President, may I interject right here and say that maybe now we will get something in Pennsylvania?

Mr. WADE. Well, I hope so, I hope that is right, Mr. President.

Mr. President, I would like to further interrogate the gentleman.

The PRESIDING OFFICER. Will the Senator permit himself to be further interrogated?

Mr. DENT. I will, Mr. President.

Mr. WADE. Mr. President, I should like to ask the gentleman how long he has been a Member of the Senate.

Mr. DENT. Well, Mr. President, I am a grandfather now, so I guess there is no reason to hide it.

Mr. WADE. I congratulate the gentleman and ask him —Mr. DENT. Mr. President, this is my fifth term.

Mr. WADE. Your fifth term, which would be, according to my multiplication, about twenty years.

May I ask the gentleman further, Mr. President, if, in his recollection, he ever voted against an appropriation bill?

Mr. DENT. Mr. President, I might answer that very simply and say this. Usually you find, and I think the gentleman is being—well, I would not say unkind, because we do not expect that, but I would say that I voted against as many appropriation bills as he did.

Mr. WADE. Thank you very much.

Mr. President, may I continue further by saying this? So long as I vote for appropriation bills, I feel it is my obligation to find the source of that money to meet those appropriation bills. We just cannot appropriate money and Senator Dent, I am sure, in the interest of fair

play will agree that we cannot continue to give almost over $400,000,000 in subsidies to the school districts back home, and we cannot continuously make these commitments without raising the money from some source or other.

Mr. President, I certainly cannot reconcile, in my own mind, any justification or any fair play in a game where you receive the benefits, or your district receives the benefits, where you vote for the benefits and at the same time refuse to go along with the financial program to raise the money.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. DENT. Will the gentleman from Cumberland tell us whether he would vote for the sales tax? Will the gentleman from Cumberland vote for the sales tax?

Mr. WADE. Mr. President, I believe that this is the best possible method of raising the needed State funds at this time and, therefore, I will vote for the sales tax as the bill is currently drawn.

Mr. DENT. Thank you very kindly.

Mr. President, two years ago, from January until December, the very things that the gentleman is complaining about now, about being willing to vote for appropriations and not for taxation, was one of the reasons that we stayed in Session from January until December. If I remember rightly, if the newspapers had any truth in them at all, it took him from January until December to make up his mind on the income tax.

Mr. WALKER. Mr. President, I do not want to protrude myself in this very illuminating discussion between the gentleman from Westmoreland and the gentleman from Cumberland, but politics is a very peculiar thing. I have said repeatedly that regardless of how a political speech is dressed up, it boils down to this. When you are talking about our side, you point with pride; when you are talking about the other side, you view with alarm. Mr. President, that is what we get every time we have one of these dissertations on the floor.

Mr. President, I would like to suggest to the gentleman from Westmoreland, with all of the humility and kindness at my command, that we all appreciate the fact that as soon as somebody gets their name in the newspapers, indicating that he might be a candidate for high public office, immediately he becomes the center of attention. When the distinguished District Attorney from the county of Philadelphia was mentioned in the Philadelphia papers as being gubernatorial timber, naturally he became the object of attention from the Majority Party on this side of the aisle. Recently the newspapers have been discussing the question as to whether or not a former distinguished Chief Executive of the Commonwealth, who is now the Junior Senator from Pennsylvania,, the Honorable James Henderson Duff, might be a Republican Candidate for Governor in 1954, and immediately former Governor Duff becomes the target of attention by the distinguished Minority.

Mr. President, this very adept method of suggesting that all evil which might be permeating Capitol Hill is the result of the Duff administration is something that I do not think is borne out by the facts in the case, and I think that just for the record we should keep them straight.

If the gentleman from Allegheny will permit me to have the undivided attention of the Minority Leader, who needs no prompting in dissertations on the floor of the Senate, when Governor Duff's administration—he is going to get it whether he wants it or not.

We have radio and television programs where they say, "No prompting from the audience." If all of the plays have been explained, Senator Dent, if I might return to the discussion of Senator Duff's administration, may I respectfully suggest to you that if you will cull the record of the 1949 Session of the General Assembly, much of this accelerated educational program, which has been the source of much discussion on the floor of this Senate, was not an administration program at that time. It was promulgated by the General Assembly very late in the Session.

With regard to the bonus bill, Mr. President, which was passed in the 1947 Session and then in the 1949 Session and submitted to the people, I listened with a great deal of interest to Senator Dent's comment in which he said that on the floor of the Senate, at that time, he objected to passing the Senate bonus bill unless the tax was also attached in the bill.

Mr. President, I am so sorry that my recollection is not as good as that of the gentleman from Westmoreland and I would appreciate it if, either publicly or privately, he would give me the page number in the Legislative Journal so that I could read those pearls of wisdom which he dropped at that time.

Mr. President, I have before me the Legislative Journal for 1949, at the time that the bill passed the Senate. Mr. President, I find, in perusing that particular page, which is the Session for Tuesday, January 25, 1949, and it is on page 175, of Volume 1, for the 1949 Session, at that time I called up Senate Bill No. 100, which was the amendment to the Constitution, taking its second lap around the track, to be submitted to the people, I called it up, there was no debate, no discussion and the bill passed unanimously. I am confident that wherever the discussion is which the gentleman had, I would be glad to read it at any time.

Mr. President, let me say again, if the gentleman from Westmoreland will recall when the Duff administration terminated in January of 1951, there was, and the records will show this, a surplus in the Duff administration. The exact amount, of course, as the gentleman so frankly and truthfully says, is always difficult to determine, because that seems to be an elastic term which meets budgetary requirements at any time. Of course, there was a surplus. The question of the Duff mortgage on the fiscal affairs of the Commonwealth of Pennsylvania is nothing but a political idiom which is used to attempt to discount one of the finest administrations we ever had on Capital Hill.

Mr. President, when the bills were passed to place this school program upon the General Assembly, and passed and placed on the statute books, they were not administration bills. Therefore, by no stretch of the imagination could that be laid at the gentleman's door. I just wanted to keep the record straight on that because

I do not think it is fair, regardless of the political party which might be represented, to indirectly suggest that the individual who had that was responsible at that time for the educational program which was placed on the books.

I think, Mr. President, if the records are consulted, we will find that everybody in the Senate, and I may be wrong about this, voted for those school teachers' salary bills in 1949, which was the start of this accelerated program. I feel that if they are done in that way, perhaps it is true that we should solve these problems as we come along.

Mr. President, I distinctly remember, with regard to the bonus bill, an attempt that was made at one time to attach to the constitutional amendment a provision which would also compel the people to determine the tax method which would be used to raise that, and it was royally eliminated from the resolution by an overwhelming opinion of the gentlemen who were in the Senate at that time.

Mr. President, in regard to some of the economy measures suggested by the gentleman from Westmoreland, with many of those I agree with him wholeheartedly. I would like to see, for example, public assistance transferred to the county level. I would like to see a forthright attempt made to put the accounting system of the Commonwealth on a business-like basis. I would like to see whatever we could call "fat" in any budget that is presented to us eliminated, and I would like to see the bare essentials of government presented to the people just once, I think it should be done, and I am repeating, I assume, the thought of the gentleman from Westmoreland, on a constructive basis and not on a political basis.

Mr. DENT. Mr. President, I have not time to go through all of the messages that I have given to the Senate, and I do not think anybody wants me to, but I just want to read one line.

Yes, Mr. President, the soldiers' bonus bill passed on final passage without any debate. It does that quite often. I think the gentleman knows we usually debate bills on second reading. That has always been the history of it. Incidentally, if you want to know the tax program which was advanced, it was a graduated income tax for the specific purpose of paying for the soldiers' bonus and educational purposes. Senator Elmer Holland put a resolution into the Senate to discharge the committee that was holding the bill in committee. The Republicans voted "nay" and the Democrats voted "aye."

Mr. President, I can also say this. I would like to quote from one of these. I am quoting from the last page of a speech given on the Senate floor when we were discussing the so-called mandated school teachers'—mandating the future subsidies, and I said:

"Personally, I believe the state should carry a larger share of the school cost relating to salaries of teachers. I have always believed in a standardization of teachers' salaries, educational opportunties and scholastic standards. The funds for doing this are or can be made available. There are still untapped sources of revenues if we must have them. For the moment, I believe we can easily add $10,000,000 to $15,000,000 to our appropriation for school purposes if we follow one of the two courses available. First, let us economize in departmental expenditures and, secondly, let us finance school construction for which the Governor requests $26,325,000 this biennium, (page 9, Fourteenth Message)," in case the defender of the truth wants to look it up in the book.

Mr. President, you will also find in this statement, which I would like to give a copy to the Senator from Allegheny County so that he can read it at his leisure, that I had this to say:

"I have come to the conclusion, and I am willing to to listen to arguments to the contary, that our problems can readily be solved on a more enduring basis if we will do three things." This was recommended in 1947 and repeated in 1949.

"(a) The Governor is willing to re-submit his budget.

"(b) The Legislature is not blindly subservient to departmental demands.

"(c) The private interest law be less selfish."

Mr. President, basically, if we had attended to those three items in 1947, we would not be faced with the problem we have today.

In here, I give the entire program for the financing of the soldiers' bonus, Mr. President. If you will remember—and I do not want tto try to draw too much from memory, because my wife will tell you that I am known to be of short memory. However, when we talked about financing the bonus, I called attention to the fact that Governor Martin had taken something like $48,000,000 in surplus funds, and had paid off the authority bonds that were then being financed by a long range program. He had also removed the bank share stock; he had also removed two or three other of the so-called Earle taxes.

Mr. President, each of these taxes were the type of taxes that increased the wealth of those who remained at home during the war. I said then, and I repeat now, that the soldiers' bonus should have been paid out of those taxes which gave the type of wealth in which the soldier could not participate because he was not at home. I thought it was only fair to take that particular tax item, or those tax items, and put upon them a certain amount of increase, or rather to re-establish them after Governor Martin had taken them, in order to pay the soldiers' bonus when they refused to allow the graduated income tax.

Mr. President, I may be accused of many things, and some of them rightly so, maybe many of them. However, one thing I want the Members of the Senate to know, and that is that we have never failed to any time to come up with a tax program for the Commonwealth of Pennsylvania at any Session of the Legislature, except two years ago, and at that time we were handed the same story which we are handed now. We were told, "You will either take fish soup or you will take nothing." We will not take fish soup.

Mr. WADE. Mr. President, I dislike very much to continue this discussion, but I just want to put on the record this brief statement that is talked about so much in the Senate, and that is the matter of econmies in the departments. Again I say that we all, on both sides of the aisle, are very much in favor of every possible economy. However, if every dollars of appropriation to run the departments were eliminated from the budget, every dollar of appropriation recommended in the budget were eliminated, that is the departments under the Governor, we would still need $80,000,000, if every nickel of it were taken out.

Second, Mr. President, and with this I must take issue with my friend from Allegheny, Senator Walker. At the same time, I agree with him that we need an accounting system, and it is only because of that that I read from this statement. We do need a more modern accounting system, and I hope that this Session will not adjourn until we have it. He is exactly right.

With that in mind and with that only in mind, Mr. President, let me read from Governor Fine's statement to the Tax Institute last Thursday, here in Harrisburg, at the Zembo Mosque, and I quote:

"One of these arises from laws imposing obligations upon the succeeding Legislature—a practice given definite trends during the last decades. When I came into office"—this is Governor Fine speaking—"in 1951 I found a $440 million Soldiers' Bonus unfinanced and other obligations up to a total of $112 million.

"When we set out to make up the Budget for the 1953-1955 biennium we found additional obligations of $95 million on the books. And due to the acceleration of the corporate net income tax for one-half of 1953, there was a $53 million advantage in revenue in the present biennium which would not reoccur."

Mr. BARR. Mr. President, I am glad Senator Wade did admit there was no mortgage handed to the Fine administration, just as he is reading from Governor Fine's speech, but the thing I want to talk about is a gentleman that—I have been here I guess thirteen years in the Senate, and I have heard the Republican Party attacked many times from this side, and I have never heard him once get up and defend his party from the floor of the Senate.

Mr. President, last Wednesday, after we left Harrisburg, he gave the hit-and-run stuff. I call him "Hit-and-run Harvey." He handed out something that looks as though Lefty Lush may have written it to the press. In it he told a lot of half-truths, and half-truths, to me, are worse than untruths. I am glad that he is on the other side so that I can give it to him and give it to him in facts. He said that he was very tired, that he has been here too long and we have been voting solidly for appropriations, and sitting back and doing nothing to help raise the money. I just want to give the Republican State Chairman the batting average for the year of 1951.

Mr. President, House Bill No. 841, known as Act No. 108, the vote in the Senate, 50-0; House Bill No. 842, known as Act No. 109, the vote in the Senate, 50-0; House Bill No. 843, known as Act No. 110, the vote in the Senate, 50-0; House Bill No. 844, known as Act No. 11, the vote in the Senate, 40-10; House Bill No. 845, known as Act No. 112, the vote in the Senate, 50-0; House Bill No. 846, known as Act No. 113, the vote in the Senate, 50-0; House Bill No. 848, known as Act No. 115, the vote in the Senate, 50-0; House Bill No. 1303, known as Act No. 345, the vote in the Senate, 50-0; House Bill No. 1348, known ast Act No. 421, the vote in the Senate, 50-0; House Bill No. 1349, known as Act No. 233, the vote in the Senate, 50-0; House Bill No. 1692, known as Act No. 468, the vote in the Senate, 46-2; House Bill No. 1693, known as Act No. 469, the vote in the Senate was on strict party lines, 29-19; House Bill No. 1694, known as Act No. 43, on party lines, 28-20; House Bill No. 1695, known as Act No. 474, the vote in the Senate, 47-1; and House Bill No. 1697, known as Act No. 455, the vote in the Senate, 45-3.

Further, Mr. President, I concur that the Republican State Chairman is so interested in education here in Pennsylvania that he, I am sure, has some influence on the two Republican United States Senators, namely, Senator Martin and Senator Duff, who just last week, by their votes on the tidelands oil, threw out the Hill Resolution which was returning all the money from tidelands oil to the various States for educational purposes and educational purposes alone.

Mr. President, three years ago, we said in our platform that we pledged a Constitutional Convention. The Republicans said the same thing. You have not kept your promise, and we have tried, Mr. Taylor, to keep our promise. We have tried to have you keep your promise. Three years ago we promised no sales tax, and we have tried to keep that promise and we will try to do everything we can to see that there is none. Last year, again, we promised the same thing. If at all possible, we will see that there is no sales tax enacted.

The only way, Mr. Taylor, for you people to show your faith in the people and to the people is to keep your promises of the platform, at which you presided at the meeting in Pittsburgh when the platform was adopted in 1950. You pledged to them that there would be a State Convention for the purpose of having a new State Constitution, and that you have not done.

Mr. President, I have been here fourteen years and I have never heard Senator Taylor defend himself or his party from any attack from this side. If he does not concur in what I have said, I am ready and willing, Senator Taylor, to give you the answers if I have them.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, the resolution which I am about to offer has to do with a request for the Joint State Government Commission to re-study the Penal Code.

As I understand it, Mr. President, in 1947 such a study had been made, and a bill was introduced and vetoed finally by Governor Duff, I believe. In 1951, I believe a similar bill was introduced and got lost during the last few days of the Session. I think it is time we had the Penal Code revised again.

SENATE CONCURRENT RESOLUTION

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO CONTINUE STUDY OF PENAL LAWS

Mr. KESSLER offered the following resolution which was twice read and referred to the Committee on Judiciary General:

In the Senate, May 11, 1953.

Whereas, by direction of the General Assembly, the Joint State Government Commission has surveyed, investigated and studied the penal laws of the Commonwealth, and reported thereon to the General Assembly; and

Whereas, it is deemed desirable to correct present inconsistencies and overlapping provisions in existing law, and to revise and codify the said penal laws; therefore, be it

Resolved (if the House of Representatives concur),

That the Joint State Government Commission is hereby directed to continue to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next Regular Session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next Regular Session of the General Assembly; and be it further

Resolved, that the Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the Commission and shall furnish such advice and assistance as it may be called upon to furnish.

SENATE CONCURRENT RESOLUTION No. 130 TAKEN FROM TABLE

Mr. WADE. Mr. President, I call from the table Senate Concurrent Resolution No. 130 for consideration at this time.

Mr. President, for the information of the Members of the Senate, this is the resolution introduced last week by Senator Holland and myself, and it has to do with memorializing Congress regarding the reduction in veterans' hospital accommodations in Pennsylvania.

The Clerk read the resolution as follows:

MEMORIALIZING CONGRESS OF THE UNITED STATES TO CONTINUE POLICY OF PROVIDING MEDICAL AND HOSPITAL CARE FOR VETERANS

In the Senate, May 5, 1953.

Whereas, Hugh H. Hoke, Commander, Department of Pennsylvania Veterans of Foreign Wars of the United States, brings to the attention of the General Assembly of Pennsylvania attacks in the Congress of the United States upon the government hospital and medical treatment program for veterans as well as payment of compensation, and

Whereas, These attacks were subjected to pointed and categorical criticism by James W. Cothran, Bishopville, South Carolina, Commander-in-Chief, Veterans of Foreign Wars of the United States, and

Whereas, the Commander-in-Chief, Veterans of Foreign Wars of the United States declared that these attacks neglect to present all the facts and thus shamefully cast a shadow of suspicion upon the entire program for providing hospitalization, medical treatment and compensation for disabled veterans, and

Whereas, With the entire United States—yes, the entire United Nations—thrilled over the exchange of sick and wounded prisoners; with the American press, radio and television cooperating to promptly furnish the names of American boys returned from the hell of prison camps and anxious parents, wives and relatives prayerfully watching for the names of their loved ones, yet these attacks daily belabor the program of government care of America's veterans, and

Whereas, With the United States Senate conducting an exhaustive investigation to determine whether our fighting men have enough ammunition to defend themselves with the greatest margin of safety and other investigations solicitous of the welfare of our sons and brothers in deadly combat in Korea it is ill-becoming to cast a shadow of suspicion over the care program for America's disabled veterans and to invite the support of crackpots and cranks who never lose an opportunity to attack the expenditure of money for the care of veterans, and

Whereas, In attacking the hospital and medical program for veterans, a few cases have been cited of well-to-do veterans who have received medical treatment in a Veterans Administration hospital for alleged non-service-connected disabilities, but those few cases are exceptions to the rule and that the great majority of veterans receiving medical treatment at government expense are either service-disabled or unable to pay even a small portion of today's high cost of hospitalization, and,

Whereas, The hospital records of the Veterans Administration hospitals are filled with the names of thousands of all veteran patients in Veterans Administration hospitals are either service-disabled, tubercular, NP or chronic cases, requiring long period of hospitalization for which they cannot afford to pay. It was further pointed out by the V. A. Medical Director that unless the Federal Government provides the care for those men who have served their country in time of war or national emergency, the states and counties will have to assume the burden or let them die on the streets, and

Whereas, The Veterans Administration, because of inadequate funds, according to their own public reports, has been forced to close down hundreds and hundreds of hospital beds, terminate related personnel and defer providing out-patients treatment to veterans who have service-connected disabilities and who have been approved for treatment. Even now hundreds of tubercular veterans and veterans suffering with mental conditions are walking the streets constituting a menace to their families, friends and the general public because they are unable to obtain hospitalization and medical treatment, therefore be it

Resolved, (if the House of Representatives Concur) That the General Assembly of Pennsylvania hereby memorializes the Congress of the United States to continue this country's historical record and policy of providing medical and hospital care for every veteran suffering from service-connected disabilities, or if not so connected, such veterans are without personal funds for such medical and hospital care, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States; Speaker of the House of Representatives, Joseph W. Martin, Jr.; Senator Edward Martin, Senator James H. Duff, and each member of the Pennsylvania Congressional Delegation.

SENATE CONCURRENT RESOLUTION No. 130 ADOPTED

Mr. WADE. Mr. President, I move that the Senate adopt the resolution.

Mr. HOLLAND. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I want to vote "aye" for this resolution, and I just want to call the attention of Senator Wade to the fact that we now have a Republican President in Washington, and not only is he not giving us anything but he is taking it away from us.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Mr. KESSLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. KESSLER and FLEMING (By request) read in place and presented to the Chair Senate Bill No. 575, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,"

by providing for vocational education through area technical schools; conferring powers and imposing duties on school directors, county superintendents and county boards of school directors; increasing the membership of the board in counties of the second class; and providing for reimbursements by the Commonwealth.

Which was committed to the Committee on Education.

HOUSE MESSAGE

SENATE BILL NO. 122 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 122, entitled:

An Act to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on tomorrow's Calendar.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons to be Members of the County Board of Assistance, for the terms set opposite their names:

LEHIGH COUNTY

(Mrs.) Blanche Hopkins, Slatington, from February 19, 1952, until December 31, 1953.

(Mrs.) Marion S Leidig, Bethlehem, from February 19, 1952, until December 31, 1954.

Victor L. Johnson, Allentown, from February 19, 1952, until December 31, 1953, and until his successor is duly appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

Ralph B Hess, Bethlehem, from July 30, 1952, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

Wililam S Troxell, Allentown, from September 22, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr.. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McMenamin,	Toole,
Barr,	Harney,	McPherson, Jr.	Wade,
Berger,	Holland,	Miller,	Wagner,
Blass,	Kephart,	Pechan,	Walker,
Camiel,	Kessler,	Peelor,	Watkins,
Chapman,	Lane,	Propert,	Watson,
Crowe,	Leader,	Ruth,	Weiner,
Dent,	Madigan,	Silvert,	Wolfe,
Diehm,	Mahany,	Snowden,	Wood,
DiSilvestro,	Mallery,	Stevenson,	Yosko,
Fleming,	McCusker,	Stiefel,	Letzler,
Freed,	McGinnis,	Taylor,	Presiding Officer
Haluska,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nominations by the Governor on January 6, 1953, for membership on the Pennsylvania Securities Commission, for the purpose of consideration at this time.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE PENNSYLVANIA SECURITIES COMMISSION

Raymond A. Cox, Meadville, from January 23, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

J. Myron Honigman, Philadelphia, from January 23, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I believe the nomination of John Conly is still in committee.

Mr. WATSON. It is being held up, Senator.

Mr. HOLLAND. Can you tell us by whom? There are no Democrats against it.

Mr. WATSON. No, I cannot tell you by whom, but it has not been O.K.'D.

Mr. HOLLAND. Mr. President, it seems strange that a man who has served on the Commission and has done a fine job, that his name is being held up. I would like to know if there is anything he has done as a Commissioner which should hold up his nomination.

Mr. WATSON. Mr. President, I cannot answer the gentleman from Allegheny because I do not know why.

Mr. HOLLAND. You do not know why he is being held up?

Mr. WATSON. No. sir.

Mr. HOLLAND. Mr. President, eighteen members of the Senate here, on our side, are ready to vote for Mr. Conly if his name is put pefore the Senate. I think the best thing which we can do from now on is, I am serving notice, that we will not approve any nomination until we find out why Mr. Conly's being held up.

If there is anything questionable in the carrying on of his business office, we would like to know it, Mr. President. I think that is the only reason why he should be held up, but from all indications and from all reports I have received, he has been a very efficient Commissioner. He has done his job very well, and I would like to know why his name is held up.

Mr. President, I am now serving notice on the Republican Party that I am asking my colleagues not to approve any more appointments until we have received a report on why Mr. Conly has not been approved.

Mr. WATSON. It is perfectly agreeable to me, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, xiz:

YEAS—48

Bane,	Hare,	McMenamin,	Toole,
Barr,	Harney,	McPherson, Jr.	Wade,
Berger,	Holland,	Miller,	Wagner,
Blass,	Kephart,	Pechan,	Walker,
Camiel,	Kessler,	Peelor,	Watkins,
Chapman,	Lane,	Propert,	Watson,
Crowe,	Leader,	Ruth,	Weiner,
Dent,	Madigan,	Silvert,	Wolfe,
Diehm,	Mahany,	Snowden,	Wood,
DiSilvestro,	Mallery,	Stevenson,	Yosko,
Fleming,	McCusker,	Stiefel,	Letzler,
Freed,	McGinnis,	Taylor,	Presiding Officer
Haluska,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 171, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 48, as follows:

An Act to amend Section 1 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2015) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes" by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2015) entitled "A supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes" is hereby amended to read as follows

Section 1 Any school employe of any school district who shall have been regularly employed by one or more school districts or vocational school districts within this Commonwealth for any period prior to the time when such employe volunteered or was called up for service in the armed forces of the United States of America in time of war or during a state of national emergency so proclaimed by the President of the United States or by action of Congress prior to the first day of September one thousand nine hundred fifty-one and who upon discharge from military service was employed by any school district or vocational school district within this Commonwealth [other than the district by which employed immediately prior to entrance into the armed forces] [of the United States] shall be entitled to have full credit for each year or fraction thereof he spent in the armed forces of the United States upon his payment to the School Employes' Retirement Fund his total accumulated deductions in the amount they would have been had such employe remained in the service of a school district during the period he served in the armed forces of the United States together with an additional amount equivalent to the amount of employer contributions otherwise required for a period equal to the period of such military service Such back payments may either be paid in a lump sum or by such monthly payroll deductions as may be approved by the School Employes' Retirement Board

Section 2 The provisons of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McGinnis,	Toole,
Barr,	Harney,	McMenamin,	Wade,
Berger,	Holland,	McPherson, Jr.	Wagner,
Blass,	Kephart,	Miller,	Walker,
Camiel,	Kessler,	Pechan,	Watkins,
Chapman,	Lane,	Peelor,	Watson,
Crowe,	Leader,	Propert,	Weiner,
Dent,	Madigan,	Ruth,	Wolfe,
Diehm,	Mahany,	Silvert,	Wood,
DiSilvestro,	Mallery,	Snowden,	Yosko,
Fleming,	Stiefel,	Stevenson,	Letzler,
Freed,	McCusker,	Taylor,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 63, as follows:

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for authorized investments of savings banks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (a) of clause (8) of subsection A and subsection C of Section 1208 and Section 1209 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any the corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State department commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 646) are hereby further amended to read as follows

Section 1208 Authorized Investments of Savings Banks Not Under Special Charter A Except as otherwise specifically provided in this act a saving bank other than a saving bank organized under a special act of the General Assembly shall not make any investments except as follows

* * * * *

(8) (a) Bonds or notes secured by mortgages or deeds of trust which are first liens upon unencumbered improved real property including improved farm land situated within [the Commonwealth or within fifty miles of the boundary thereof] any Commonwealth or State of the United States or the District of Columbia to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages or deeds of trust contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of the principal within the term thereof Provided however That such savings bank while having the entire investment in such a bond or note may subject to like conditions in respect to amortization invest in a bond or note secured by a mortgage or deed of trust or judgment which is a second lien on the same real property if the total invested in both liens does not at any time exceed two-thirds of the actual value of such real property

* * * * *

C A savings bank other than a savings bank organized under special act of the General Assembly may make such additional investments as are authorized by its articles but it shall not purchase or invest in bonds secured by mortgage upon real property other than such as are expressly authorized by this act nor shall it invest

in the shares of capital of any corporation whatsoever except [shares]

(1) Shares of a Federal Reserve Bank [and the shares]

(2) Shares of any corporation organized under the laws of this Commonwealth for the purpose of conducting a safe deposit business

[and to the extent of not in excess of ten per centum of the surplus and unallocated reserve of the savings bank not more than ten per centum of the authorized capital stock of any national banking association located within this Commonwealth or of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth]

(3) Preferred stock guaranteed stock and common stock of any other corporation organized under the laws of the United States or of any Commonwealth or state thereof or of the District of Columbia subject to the following conditions

(a) Such purchase shall be made in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(b) In the case of preferred stock the corporation issuing the stock shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year

(c) In the case of guaranteed stock the guaranteeing corporation shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any and fulfilled all of its obligations in respect to dividends on all stock directly or indirectly guaranteed by it if any outstanding during such year

(d) In the case of common stock the corporation issuing the stock shall have earned a net profit in twelve of the sixteen fiscal years next preceding the date of investment as reflected in its statements and during each of such sixteen years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year and in each of at least twelve of such preceding sixteen fiscal years shall have paid dividends in some amount upon all its common stock if any outstanding during such year

(e) In the case of any stock other than guaranteed stock and stock of a bank or insurance company the stock shall be listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

(f) No investment in preferred guaranteed or common stock shall be made by a savings bank if the cost of its holdings of all such stock exceeds or by the making of such investment will exceed an amount equal to five per centum of the book value of its assets or an amount equal to fifty per centum of its unimpaired surplus unallocated reserves and undivided profits whichever amount is less

(g) No investment authorized by this clause (3) in the preferred guaranteed or common stock of any corporation shall be made by a savings bank if its holdings of the stock of such corporation exceed or by the making of such investment will exceed either (i) at cost one-fifth of one per centum of the book value of the assets of the savings bank or (ii) in number of shares five per centum of the total issued and outstanding shares of the stock of such corporation

(h) No sale or liquidation of any investment shall be required solely because of any event subsequent to the investment as a result of which the requirements of this clause (3) are no longer fulfilled

(i) When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by a savings bank as herein provided by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this clause (3) have been satisfied

(j) "Corporation" as used in this clause (3) shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

Section 1209 Authorized Investments of Special Charter Savings Banks A A savings bank organized under a special act of the General Assembly may make such investments as may be authorized by its articles of incorporation but no such savings bank shall purchase or invest in the shares of capital of any corporation whatsoever except [SHARES]

(1) Shares of a Federal Reserve Bank [and the SHARES]

(2) Shares of any corporation organized under the laws of this Commonwealth for the purpose of conducting a safe deposit business

[and to the extent of not in EXCESS of ten percentum of the surplus and unallocated reserve of the savings bank and not more than ten per centum of the authorized capital stock of any national banking association located within this Commonwealth or of any bank bank and trust company or trust company incorporated under the laws of this Commonwealth]

(3) Preferred stock guaranteed stock and common stock of any other corporation organized under the laws of the United States or of any Commonwealth or State thereof or of the District of Columbia subject to the following conditions

(a) Such purchase shall be made in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as probable safety of their capital

(b) In the case of preferred stock the corporation issuing the stock shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year

(c) In the case of guaranteed stock the guaranteeing corporation shall have earned a net profit in eight of the ten fiscal years next preceding the date of investment as reflected in its statements and during each of such ten years shall have paid dividends in the specified amounts upon all its preferred stock if any and fulfilled all of its obligations in respect to dividends on all stock directly or indirectly guaranteed by it if any outstanding during such year

(d) In the case of common stock the corporation issuing the stock shall have earned a net profit in twelve of the sixteen fiscal years next preceding the date of investment as reflected in its statements and during each of such sixteen years shall have paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year and in each of at least twelve of such preceding sixteen fiscal years shall have paid dividends in some amount upon all its common stock if any outstanding during such year

(e) In the case of any stock other than guaranted stock and stock of a bank or insurance company the stock shall be listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such lisitng shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

(f) No investment in preferred guaranted or common stock shall be made by a savings bank if the cost of its holdings of all such stock exceeds or by the making of such investment will exceed an amount equal to five per centum of the book value of its assets or an amount equal to fifty per centum of its unimpaired surplus unallocated reserves and undivided profits whichever amount is less

(g) No investment authorized by this clause (3) in the preferred guaranteed or common stock of any corporation shall be made by a savings bank if its holdings of the stock of such corporation exceed or by the making of such investment will exceed either (i) at cost one-fifth of one per centum of the book value of the assets of the savings bank or (ii) in number of shares five per centum of the total issued and outstanding shares of stock of such corporation

(h) No sale or liquidation of any investment shall be required solely because of any event subsequent to the investment as a result of which the requirements of this clause (3) are no longer fulfilled

(i) When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by a savings bank as herein provided by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this clause (3) have been satisfied

(j) "Corporation" as used in this clause (3) shall include a voluntary association a joint-stock association or company a business trust a Masachusetts trust a common-law trust and any other organization existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

B No such savings bank shall purchase or invest in bonds or notes secured by mortgages or deeds of trust of real property except

(1) Bonds or notes secured by mortgages or deeds of trust which are first liens upon unencumbered improved real property including improved farmland situated within [the Commonwealth or within fifty miles of the boundary thereof] any Commonwealth or State of the United States or the District of Columbia to the extent of not more than two-thirds of the actual value of such real property and for a term not exceeding ten years or for a term not exceeding twenty years if such mortgages or deeds of trust contain provisions requiring monthly quarterly semi-annual or annual payments sufficient in amount to pay all interest and effect full repayment of principal within the term thereof Provided however That a savings bank while having the entire investment in such a bond or note may subject to like conditions in respect to amortization invest in a bond or note secured by a mortgage or deed of trust or in a judgment which is a second lien on the same real property if the total invested in both liens does not at any time exceed two-thirds of the actual value of such real property

(2) Bonds or notes secured by mortgages or deeds of trust which are insured by or for which a written commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements

(3) Bonds or notes secured by mortgages or deeds of trust of dwellings for not more than four families and improved farmland guaranteed or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however That each such loan is guaranteed in an amount equal to at least twenty per centum thereof

(4) Bonds or notes secured by mortgages or deeds of trust of business property guaranteed in whole or in part or for which a written commitment to guarantee has been made in accordance with the provisions of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act Provided however That the non-guaranteed portion of each such business loan does not exceed two-thirds of the value of such busines property

(5) Secondary bonds or notes secured by mortgages or deeds of trust guaranteed in full or for which a written commitment to so guarantee has been made in accordance with the provisions of section five hundred and five of the "Servicemen's Readjustment Act of 1944" its amendments and supplements and rules and regulations promulgated from time to time pursuant to said act and

(6) Bonds or notes secured by mortgages or deeds of trust of real property insured or for which a written commitment to insure has been made in accordance with the provisions of Title On of the "Bankhead-Jones Farm Tenant Act" of the twenty-second day of July one thousand nine hundred and thirty-seven its amendments and supplements and rules and regulations promulgated from time to time pursuant to the provisions of said act

[B] C Any building which is upon and is included in the valuation of such real property shall be insured against loss by fire for the benefit of the savings bank by the borrower during the term of the bond or note in a company which is authorized to do business where such real property is situated and is approved by the savings bank making the purchase or investment It shall be lawful for a savings bank to renew such policies at the expense of such borrower from year to year or for a longer or shorter period not however exceeding the term of the bond or note in case the borrower shall fail to do so All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such borrower In the event that the borrower shall refuse upon demand to pay such charges and expenses they shall be added to the amount secured by the mortgage or deed of trust and shall together with interest from the date of payment of such charges and expenses by such savings bank constitute a lien upon the property so encumbered All expenses of searches examinations certificates of title or appraisal of actual value and all expenses of drawing and recording of papers shall be paid by such borrower In the case of bonds or notes authorized for purchase or investment in subsection [A] B (1) of this section the actual value of the real property shall be the average of written appraisals thereof made after inspection of the property by two reputable persons approved by the board of trustees of the savings bank and familiar with real property values in the vicinity of the property appraised which appraisals shall be filed among the records of the savings bank The restrictions contained in this section with reference to real estate bonds and notes shall not apply to public utility railroad or industrial bonds or other securities commonly known as investment securities although such obligations may be secured in whole or in part by a lien upon real property

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as fololws, xiz:

YEAS—45

Bane,	Hare,	McMenamin,	Taylor,
Barr,	Harney,	McPherson, Jr.	Toole,
Berger,	Holland,	Miller,	Wade,
Blass,	Kephart,	Pechan,	Wagner,
Chapman,	Kessler,	Peelor,	Walker,
Crowe,	Leader,	Propert,	Watkins,
Dent,	Madigan,	Ruth,	Watson,
Diehm,	Mahany,	Silvert,	Wolfe,
DiSilvestro,	Mallery,	Snowden,	Wood,
Fleming,	McCusker,	Stevenson,	Yosko,
Freed,	McGinnis,	Stiefel,	Letzler,
Haluska,			Presiding Officer

NAYS—3

Camiel,	Lane,	Weiner,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 97, as follows:

An Act to prohibit acquisition of property and property rights by condemnation except by the Commonwealth and its political subdivisions until payment into court of a percentage of the damages admittedly due owners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Except in the case of property or property rights taken by the Commonwealth or any of its political subdivisions no property or property rights within the Commonwealth shall be taken by condemnation until eighty per cent (80%) of the amount of damages admittedly due the owner or owners has been paid to the prothonotary of the court of common pleas of the county in which the property or property rights is or are located whereupon the said owner or owners shall be entitled to secure said damage money from the pronthonotary upon order of court duly entered after cause shown without prejudice to the right to proceed in the manner provided by law for the recovery of such additional damages as may properly be shown to be due on account of the condemnation of such property or property rights

Section 2 When said damages are paid to the prothonotary there shall be filed with the prothonotary by the party making the payment affidavits of two licensed real estate agents or brokers or other persons familiar with values of similar property or property rights in the locality stating that the amount paid to the prothonotary represents eighty per cent (80%) of the damage caused to the owner or owners by said taking based upon the difference between the fair market value of the entire property immediately before and after the taking and the party making the payment shall at the same time file with the prothonotary a bond subject to the approval of the court guaranteeing payment of the balance of damages if any utimately found to be due the Commonwealth and political subdivisions thereof shall not be required to file a bond

Section 3 The provisions of this act shall in no way and to no extent limit or restrict the remedies now provided by law for the benefit of owners of property or property rights taken by condemnation provided only there shall be but one complete recovery of damages for each property or property right taken

Section 4 As used in this act "the Commonwealth or any of its political subdivisions" does not include any authority created by or pursuant to any act of Assembly nor the Pennsylvania Turnpike Commission

And said bill having been read at length the third time, and agreed to,

And the amendment made thereto having peen printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, xiz:

YEAS—47

Bane,	Haluska,	McMenamin,	Toole,
Barr,	Hare,	McPherson, Jr.	Wade,
Berger,	Harney,	Miller,	Wagner,
Blass,	Holland,	Pechan,	Walker,
Camiel,	Kephart,	Peelor,	Watkins,
Chapman,	Kessler,	Propert,	Watson,
Crowe,	Lane,	Ruth,	Weiner,
Dent,	Leader,	Silvert,	Wolfe,
Diehm,	Madigan,	Snowden,	Wood,
DiSilvestro,	Mahany,	Stevenson,	Yosko,
Fleming,	Mallery,	Stiefel,	Letzler,
Freed,	McCusker,	Taylor,	Presiding Officer

NAYS—1

McGinnis,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 419, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Public Works; transferring to it all of the powers and duties of the Department of Highways, and the State Planning Board, all of the powers and duties of the Pennsylvania Aeronautics Commissions, except the inspection, regulation and licensing of airports, those powers and duties of the Department of Property and Supplies relating to the management and control, construction and repair of all buildings owned or leased by the Commonwealth, and those powers and duties of the Department of Internal Affairs relating to municipal and township development; transferring the Board of Commissioners of Public Grounds and Buildings, the State Art Commission and the General Galusha-Pennypacker Monument Commission from the Department of Property and Supplies to the Department of Public Works; providing for a Secretary of Public Works; defining his powers and duties; abolishing the Department of Highways, the State Planning Board and the Pennsylvania Aeronautics Commission; reconstituting the State Planning Board and advisory board within the Department of Public Works; creating the State Procurement Board a departmental administrative board within the Department of Property and Supplies; and transferring appropriations.

And said bill have been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occured:)

Mr. CROWE. Mr. President, not hearing my name called, I wish to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Monroe will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15

Bane,	Haluska,	McGinnis,	Stiefel,
Barr,	Holland,	McMenamin,	Weiner,
Camiel,	Lane,	Ruth,	Yosko,
Dent,	Leader,	Silvert.	

NAYS—29

Berger,	Harney,	McPherson, Jr.	Wagner,
Blass,	Kephart,	Pechan,	Walker,
Chapman,	Kessler,	Peelor,	Watkins,
Crowe,	Madigan,	Propert,	Watson,
Diehm,	Mahany,	Snowden,	Wolfe,
Fleming,	Mallery,	Stevenson,	Wood,
Freed,	McCusker,	Taylor,	Letzler,
Hare,			Presiding Officer

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

Mr. DENT. Mr. President, will you repeat that vote? What was the total vote?

The PRESIDING OFFICER. "Yeas" fifteen, "nays" twenty-nine.

Mr. DENT. The bill falls?

The PRESIDING OFFICER. That is correct.

Mr. DENT. Mr. President, it is too late to do anything about it, but we cannot keep giving lip service. This is a bill which does not interfere with any department—

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Crawford, Mr. Mahany, will state his point of order.

Mr. MAHANY. Mr. President, the next bill on the Calendar is Senate Bill No. 517. As I understand it, we have finished with Senate Bill No. 419, and I think the gentleman is out of order.

The PRESIDING OFFICER. The Chair rules the point of order is well taken.

REQUEST FOR INTERROGATION

Mr. DENT. Mr. President, may I interrogate the Majority Leader?

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. No, Mr. President, the next bill is Senate Bill No. 517, and I am ready to take action on that bill.

Mr. DENT. Mr. President, you can take action on that and then I will interrogate him.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President. I ask unanimous consent that Senate Bill No. 517, Printer's No. 186, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, as follows:

An Act to amend Section 1 of the act approved the tenth day of June one thousand nine hundred forty-seven (Appropriation Act page 27 Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission" by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the tenth day of June one thousand nine hundred forty-seven (Appropriation Act page 27 Act No 19-A) entitled "An act making an appropriation to the Department of Commerce of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission" is hereby amended to read as follows

Section 1 So much of the moneys as shall be determined by the Department of Revenue in the Motor License Fund as are derived after May thirty-first one thousand nine hundred forty-seven from the tax on liquid fuels sold for use in aircraft is hereby specifically appropriated to the [Department of Commerce] Department of Internal Affairs for the following purposes (a) for the proper conduct of the work of the Pennsylvania Aeronautics Commission including payment of expenses of the commission and th salaries or other compensation of an executive director and other employes for the payment of general expenses supplies printing equipment an dmaintenance and repairs of landing fields intermediate landing fields landing field equipment beacon sites other air navigation facilities and for the encouragement and development of civil aeronautics and (b) for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, Senate Bill No. 519 is similar to Senate Bill No. 419 in one particular, in that they are both designed as economy measures. Under Senate Bill No. 519, which is up before us at this time, we are falling in line with the bill that was passed in the Senate which eliminated the Department of Commerce, and by so doing we have to find now a resting place for the Pennsylvania Aeronautics Commission.

Mr. President, it is sound to vote for this bill because, as I understand it from the few facts I could get from the Chesterman Committee, this is designed as an economy measure. In following up the study on Senate Bill No. 519, I discovered that Senate Bill No. 419 would have saved and given Pennsylvania probably $1,000,000, in purchasing through a centralized procurement office in the Commonwealth of Pennsylvania. I think the Senate was very lax in talking for economy and turning that bill down.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McGinnis,	Taylor,
Barr,	Hare,	McMenamin,	Toole,
Berger,	Harney,	McPherson, Jr.	Wade,
Blass,	Holland,	Miller,	Wagner,
Camiel,	Kephart,	Pechan,	Walker,
Chapman,	Kessler,	Peelor,	Watkins,
Crowe,	Lane,	Propert,	Watson,
Dent,	Leader,	Ruth,	Weiner,
Diehm,	Madigan,	Silvert,	Wolfe,
DiSilvestro,	Mahany,	Snowden,	Wood,
Fleming,	Mallery,	Stevenson,	Yosko.
Freed,	McCusker,	Stiefel,	Letzler, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 61, entitled:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and associations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 67, on second reading, entitled:

An Act to amend subsection (a) of section 2 of the act approved the twenty-third day of May, 1945 (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training and the suspension and revocation of said licenses, registrations and certifications for volations of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," by further defining the practice of engineering.

be recommitted to the Committee on Education.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 99, entitled:

An Act to further amend Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habeas corpus coram nobis and other writs arising out of escapes or crimes and trials therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 155, entitled:

An Act prohibiting the attaching of metal or other hard substances to public utility poles.

The first section was read.

On the qpestion,

Will the Senate agree to the section?

Mr. WOLFE offered the following amendment:

Amend Bill, page 2, by inserting after line 6: "Section 2. The provisions of this act shall become effective the first day of January, one thousand nine hundred fifty-four."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 190, entitled:

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E Kent Kane all right title and interest of the Commonwealth to certain land in Sergeant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 238, on second reading, entitled:

An Act to amend the act approved the seventh day of June one thousand eight hundred eighty-seven (P. L.

365) entitled "An act to encourage and authorize the formation of cooperative associations productive and distributive by farmers mechanics laborers or other persons" by authorizing perpetual existence for cooperative associations providing for prospective and retroactive amendments to articles of association increasing terms of existence or making such terms of existence perpetual. be recommitted to the Committee on Judiciary General.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 260, entitled:

An Act to amend section 1 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against will and the procedure in references thereto" by changing the provisions which permit minors to military service and mariners to dispose of their property by will

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 276, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the incorporators or the corporation to advertise filing of articles of incorporation before or after the date of filing, eliminating requirement of filing proofs of such advertisement, and prohibiting transaction of business before such advertisement, subject to penalties; changing procedure for increasing indebtedness and validating increases heretofore so authorized; providing separate elections for vacancies in offices of different classes of directors; authorizing directors to fix place of meeting of shareholders persuant to authority of by-laws; changing provisions relative to cumulative voting in elections of directors; further providing for notice to shareholders of meetings to consider proposed amendments; eliminating requirement of filing certificates evidencing certain payments in certain cases of merger or consolidation and making Commonwealth claims in such cases a lien on the franchises and all property of the surviving or new corporation; and authorizing the Secretary of the Commonwealth to receive process issued by a federal court against any foreign business corporation doing business in this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 289, Printer's No. 194, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 195, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 310, Printer's No. 203, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or trip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for apeals, and imposing penalties, and making appropriations," by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr President, I ask unanimous consent that House Bill No. 333, Printer's No. 46, on secand reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. MAHANY. Mr President, I ask unanimous consent that House Bill No. 334, Printer's No. 47, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. MAHANY. Mr President, I ask unanimous consent

that House Bill No. 335, Printer's No. 48, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 352, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same os public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts of payments from the Commonwealth to counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 383, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewer spublic squares and properties abutting thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 384, entitled:

An Act to further amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145); entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by further regulating the imposition of taxes under the provisions of said act, the limitations thereon, and the publication and filing of notices relative thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr President, I ask unanimous consent that Senate Bill No. 402, Printer's No. 197, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. MAHANY. Mr President, I ask unanimous consent that Senate Bill No. 448, Printer's No. 205, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. MAHANY. Mr President, I ask unanimous consent that Senate Bill No. 450, Printer's No. 178, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. MAHANY. Mr President, I ask unanimous consent that Senate Bill No. 451, Printer's No. 179, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

Mr. MAHANY. Mr President, I ask unanimous consent that Senate Bill No. 452, Printer's No. 180, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

BILLS RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 473, on second reading, entitled:

An Act to further amend subsection A of Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by authorizing as Authority projects, buildings, grounds and structures for the purpose of holding farm shows.

be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 500, on second reading, entitled:

An Act to further amend section two thousand three hundred eighteen of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrtaive work of the

Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by conferring additional duties upon the Governor and the Department of Welfare.

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 501, Printer's No. 206, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the liens of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divesticure by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor, creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commisioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims, giving of notice, claims becoming absolute, filing of exceptions and the holding of sales.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. With pleasure, Mr. President.

Mr. YOSKO. Senator Mahany, last Wednesday I made a request for a statement to indicate who was to get the $400,000 appropriation, how much each person or department was to get, and the purpose for which the money was allocated. May I inquire now whether you have such a satement available?

Mr. MAHANY. Senator, which one do you mean? The $400,000, is that what you are talking about now?

Mr. YOSKO. The $400,000, that is right.

Mr. MAHANY. Yes, I have such a statement.

Mr. YOSKO. May I have a copy of it for analysis purposes, please?

Mr. MAHANY. Surely, Senator.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, Printer's No. 84, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 703, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory

laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions further providing for the correction of errors and providing for the construction of references to certain laws which are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requirinf bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 704, entitled:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by clarifying the effect of amendments upon each other and extending the same to previous enactments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act relating to and regulating the contracts of incorporated towns and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 709, entitled:

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States.

And said bill having been read at length the second time and agreed to,

Ordered ,To be transcribed for a third reading.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 480, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by defining certain terms imposing powers and duties on the Department of Welfare, providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children eliminating certain consent to adoption and further providing for hearings and investigatory powers of the court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, May 12, 1953, at 12:00 o'clock m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:14 o'clock p. m., Eastern Standard Time, until Tuesday, May 12, 1953, at 12:00 o'clock m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 11, 1953

The House met at 3:30 p. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O God, Who hast taught us that we are most truly free men when we find our wills in Thine; Grant us in all our duties Thy help, in all our perplexities Thy counsel, in all dangers Thy protection. Give us a pure heart, and a stedfast will, that all our work may be to the honor of Him Who hath honored us with His love and fellowship, Jesus Christ our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, Tuesday, and Wednesday, May 4, 5, and 6, 1953? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Messrs. HAUDENSHIELD and VAUGHAN.

HOUSE BILL No. 1288.

An Act making an apropriation to the Department of Welfare for the additional maintenance of certain hospitals in out-patient and dispensary service.

Referred to the Committee on Appropriations.

By Messrs. HEWITT and KROMER.

HOUSE BILL No. 1289.

An Act to amend the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 1898), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of Health; and repealing other laws," by making it unlawful for a funeral director to open a casket after the family or friends of deceased have left the grave.

Referred to the Committee on Professional Licensure.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 518, 520, 521 and 522.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 21

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing a certain route in Armstrong County

STUDENTS OF KENNARDALE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is happy to welcome to the Hall of the House a delegation from the Kennardale High School, York County, under the supervision of their teachers, Mr. Ecker, Mr. Miller and Mr. Zimmerman. They are the guests of the gentleman from York, Mr. Goodling.

COMMUNICATION AND HOUSE BILL No. 51 TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 51, Printer's No. 170, together with communication from the Senate be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

SENATE MESSAGE

COMMUNICATION AND HOUSE BILL No. 51 TAKEN FROM TABLE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 51.

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "hundred" the words "twenty-five";

Line 2, by striking out after the part-word "lars" the figures "($125,000)" and inserting in lieu thereof the figures "($100,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,

Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeltz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND HOUSE BILL NO. 112 TAKEN FROM TABLE

Mr. HELM. Mr. Speaker, I move that House Bill No. 112, Printer's No. 173, together with communication from the Senate be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 112.

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Sections 2, page 4, line 1, by striking out after the word "effective" the following: "thirty days after final enactment" and inserting in lieu thereof the following: "on the first day of January one thousand nine hundred fifty-four."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeltz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 9, entitled:

An Act to amend subsections (a) and (f) of Section 1307 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by authorizing voting by qualified electors honorably discharged from the military service within thirty days prior to the last day for registration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 278, entitled:

An Act to repeal Sections 683 684 and 685 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the appointment of a tax collector in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HOCKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 317, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provided an adsectum judgment index and fixing the fees of the prothonotaries therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 854, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds by regulating the passing of vehicles at intersections the use of highways by pedestrians and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships and the provisions of the act relating to public parks recreation places and facilities and park and recreation boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1060, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of election, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the filing fees for judges in Philadelphia, and the number of signers and filing fees for magistrates in cities of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1175, entitled:

An Act to further amend Section 802 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing ambulances to be equipped with two spot lamps.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1197, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles; tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the secretary to suspend registrations of manufacturer's, jobber's and dealer's in the dealer's class, further regulating use of dealer's registration plates in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1206, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violations of the act, codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing filing fees for nomination petitions of jury commissioners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1215, entitled:

An Act to amend Section 830 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the

peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining the term "log" as used in provisions requiring that logs carried on certain vehicles and trailers be securely fastened.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1217, entitled

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the penalty as to speed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act to further amend subsection C of section 1009 and section 1408 of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or persons, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by changing the limitations on the amount which may under certain circumstances be invested in title insurance companies, and by making further provision concerning the effect of merger or consolidation of banking institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 16, entitled:

An Act to amend Sections 31 and 32 of the act, approved the thirty-first day of March, one thousand eight hundred sixty (P. L. 427), entitled "An act to Consolidate, Revise and amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," by permitting the trial of cases of involuntary manslaughter in quarter sessions courts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 76, entitled:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" by specifying in more detail the authority of recorders of deeds in certain instances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 65,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 211, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (1951-52 P. L. 2182) entitled "An act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions" by extending the term of such commission until the end of the 1955 Session of the General Assembly

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 294, entitled:

An Act to further amend subsections (b), (c) and (e) of section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts, and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 416, Printer's No. 135,

was passed over at the request of the SPEAKER.

BILL ON SECOND READING POSTPONED

TIME EXTENDED ON BILL

Mr. BALDWIN asked and obtained unanimous consent to extend the time five days on House Bill No. 141, Printer's No. 56, on page 16 of today's calendar, bills on second reading postponed.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 133, Printer's No. 223,

House Bill No. 330, Printer's No. 224,

House Bill No. 908, Printer's No. 168, and

House Bill No. 909, Printer's No. 169,

were passed over at the request of the SPEAKER.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I had intended to make a rather extended statement today but in deference to the latenes of the hour, I will be very brief.

Tomorrow and tomorrow and tomorrow, time drags its way on leaden feet. I wonder whether the majority party is qualifying as the chief attendants in the Temple of Manana. How long, oh how long will you continue to be cruel!

You know when you catch a fish you do not keep him on the hook squirming one month, two months, three months, four months. Why be crueler to the wiggling Members of the majority, hooked on these particular bills, than you would be to some poor fish?

We have no objection to your passing over these bills. That is a part of your policy. But eventually you must screw your courage to the sticking point and march up to the line.

The reason I am talking today is that I notice in a statement issued by the State Chamber of Commerce that there is a movement to entice—they use the word entice—that the Governor is going to entice; or the Speaker is going to entice; or somebody is going to entice Democrats to vote for the sales tax bill. Now, one of the standard definitions of "entice" is to seduce, and I am simply rising today to tell you that I do not believe any member of the Democratic minority is subject to seduction, notwithstanding the charms of the seducer.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 608, Printer's No. 83, on page 17 of today's calendar, bills on final passage postponed.

Mr. GUTHRIE asked and obtained unanimous consent to extend the time five days on House Bill No. 626, Printer's No. 130, on page 18 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 91, Printer's No. 175,

House Bill No. 292, Printer's No. 219, and

House Bill No. 344, Printer's No. 222,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 514, as follows:

An Act fixing the fees or costs to be charged by magistrates of Cities of the First Class and imposing liability therefor upon the county in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title Scope (a) This act shall be known and may be cited as the "Magistrates' Fee Bill of Cities of the First Class"

(b) After the effective date of this act the fees to be charged by magistrates shall be as fixed by this act

Section 2 Criminal Cases (a) The fees to be charged by magistrates in every criminal case except as hereinafter provided shall be as follows

(1) Summary conviction except motor vehicle cases $2.50
(2) Summary conviction motor vehicle cases ... 2.50
(3) Misdemeanor 5.00
(4) Felony 2.50

(b) Such fees shall include all charges including when called for the costs of postage and registered mail and the costs of giving a transcript to the prosecutor or defendant or both is requested

Section 3 Payment of Summary Conviction Costs by County

(a) In every case of summary conviction in which the evidence is not sufficient to convict and the defendant is dismissed the costs or fees thereof shall be paid by the county

(b) In every case of summary conviction in which the defendant is convicted and sentenced to jail in default of the payment of the fine and costs or fees imposed the costs or fees of prosecution shal be paid by the county

Section 4 Civil Cases (a) The fees to be charged by magistrates in every civil case except as hereinafter provided shall be as follows

(1) Assumpsit or trespass involving $100 or less $2.50
(2) Landlord and tenant proceeding 5.00

(3) Attachment in execution proceeding after judgment 5.00

(b) Such fees shall include all charges including when called for the costs relating to depositions and interrogatories and the costs of postage and registered mail except the costs of a transcript of every proceeding on appeal or certiorari (including affidavit bail and certificate) which shall be $1.00 per transcript

Section 5 Unclassified Fees or Charges The fees to be charged by magistrates in the following instances not readily classifiable shall be as follows

(1) Order for relief or removal of pauper $1.25
(2) Order to seize goods for maintenance of wife or children 1.25
(3) Order for premium for wolf fox or other scalps to be paid by the county 1.25
(4) Entering transcript of judgment from another magistrate justice of the peace or alderman 1.25
(5) Every acknowledgement of deed or other instrument of writing first name ..... .75
each additional name ..... .25
(6) Certificate to obtain land warrant 1.25
(7) Marrying each couple making record thereof and certificate to the parties 5.00
(8) Swearing and affirming county or other public officer each officer 1.00
(9) Probating accounts 1.25
(10) Writing affidavits or affirmations 1.25

Section 6 Federal Cases The fees to be charged by magistrates for services under the laws of the United States shall be as follows

(1) For certificate of protection $1.00
(2) For certificate of lost protection ..... .75
(3) Warrant ..... .75
(4) Commitment ..... .75
(5) Summons for seamen in admiralty case hearing thereon 1.00
(6) For certificate to clerk of the district court to issue admiralty process ..... .75
(7) For affidavit of claims and copies thereof 1.25
(8) Affidavit of defense 1.25

Section 7 Repeals (a) The act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" is hereby repealed as to fees and costs of magistrates of cities of the first class

(b) All other acts or parts of acts general local or special are hereby repealed in so far as inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Varallo,
Bucchin,	Jenkins,	Munley,	Varner,
Buchanan,	Jim,	Murray, J. J.,	Toll,
Bullen,	Johnson,	Murray, P. G.,	Tompkins,
Capano,	Jones, Geo. E.,	Musto,	Toomey,
Cianfrani,	Jones, Gran'le E.	Naugle,	VanSant,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question wes determined in the offirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 555, Printer's No. 177,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 573, as follows:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further defining real estate to be valued and assessed for taxation.

On the question,

Will the House agree to the bill on third reading?

Mr. WATERHOUSE. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 201), page 3, lines 12 to 15 both inclusive by striking out all of said lines, and inserting in lieu thereof: "Provided however, That the exclusion of machinery tools appliances and other equipment contained

in any mill mine manufactory or industrial establishment shall not apply to the county of the second class."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 574, Printer's No. 221,
House Bill No. 601, Printer's No. 180,
House Bill No. 692, Printer's No. 182,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150,
House Bill No. 889, Printer's No. 136, and
House Bill No. 1003, Printer's No. 187,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration at House Bill No. 1021, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by further regulating size and weight of buses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended in part by the acts approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) the twenty-second day of May one thousand nine hundred forty-five (P. L. 840) the eleventh day of May one thousand nine hundred forty-nine (P. L. 1094) and the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as fololws

Section 902 Size of Vehicles and Loads

(a) No vehicle except motor buses motor omnibuses and fire department equipment street sweepers and snow plows shall exceed a total maximum width including any load thereon of ninety-six (96) inches except that the limitations as to size of vehicle stated in this act shall not apply to vehicles loaded with hay or straw in bulk

(b) No vehicle except motor buses motor omnibuses and vehicles used exclusively to repair overhead lights and wires and fire department equipment shall exceed a total maximum height including any load thereon of one hundred fifty (150) inches but nothing herein contained shall be construed to require the public authorities to provide sufficient vertical clearance to permit the operation of such vehicles excepting that until but not after January first one thousand nine hundred forty-one any vehicle properly registered in Pennsylvania on the effective date of this act may be of a total height including any load thereon of one hundred seventy-four (174) inches Provided however That [any motor bus operated within a municipality or in a business or residence district may be of a total height including any load thereon of one hundred seventy-four (174) inches and] any vehicle carrying motor vehicles may be of a total height including any load thereon of one hundred sixty-two (162) inches

(c) No vehicle except motor buses motor omnibuses and fire department equipment shall exceed a total maximum length including any load thereon of four hundred twenty (420) inches [except fire department equipment and except buses with toilet facilities which shall not exceed a length of four hundred eighty (480) inches and which when in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles] and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles imposible of dismemberment which do not exceed seventy (70) feet

1 No motor vehicles shall be operated upon a highway drawing or having attached thereto more than one other vehicle Provided That a trailer not exceeding ten (10) feet in length may be atached to one motor vehicle for the purpose of towing another vehicle requiring service to which such trailer is also attached

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels

(d) No vehicle except a trailer or semi-trailer shall carry any load or part thereof extending more than five (5) feet beyond the front extremity

(e) No vehicle except as herein provided shall carry any load extending beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fender on the right side thereof

[(f) It shall be unlawful for any person to transport on a motor vehicle trailer or semi-trailer operated for the carriage of pasengers for hire a load of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five consecutive miles]

(g) No truck tractor and semi-trailer coupled together except fire department equipment shall exceed a total maximum length inclusive of load and bumpers of five hundred forty (540) inches excepting that until but not after January first one thousand nine hundred forty-one any truck tractor and semi-trailer properly registered in this Commonwealth on the effective date of this act may when coupled together be of a total maximum length not exceeding seventy (70) feet excepting further that nothing in this subsection shall prohibit the transportation of articles imposible of dismemberment which do not exceed seventy (70) feet

Penalty Any person violating any of the provisions of subsection (a) (b) (c) (d) (e) or (g) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days [Any person violating any of the provisions of subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars or more than twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days] Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

Section 2 Clause (e) of Section nine hundred three of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) Clause (f) of said section as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) and the penalty clause of said section as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) are hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * * *

(e) No four wheeled vehicle except motor buses motor omnibuses and fire department equipment [and any motor bus operated within a municipality or in a business or residence district] shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(f) No six or more wheeled vehicle except fire department equipment and motor buses and motor omnibuses shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or in excess of eight thousand (8,000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or in exces of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

* * * * *

Penalty Any person operating any vehicle or combination of vehicles except motor buses and motor omnibuses upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in that particular case and not exceeding by more than ten (10) per centum the maximum weight allowed shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles except motor buses and motor omnibuses on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in that particular case shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 3 Said act is hereby amended by adding immediately following Section nine hundred seven thereof a new section to read as follows

Section 908 Motor Buses and Motor Omnibuses Size and Loads (a) Motor buses and motor omnibuses shall not exceed a total maximum length of four hundred eighty (480) inches and shall not exceed a total maximum height of one hundred fifty (150) inches Provided however That any motor bus or motor omnibus operated within a municipality or in a business or residence district may be of a total height including any load thereon of one hundred seventy-four (174) inches Motor buses and motor omnibuses shall not exceed a total maximum width of ninety-six (96) inches

(b) No motor bus or motor omnibus having two axles except motor buses and motor omnibuses operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(c) No motor bus or motor omnibus having three axles shall be operated upon any highway with a gross weight in excess of forty thousand (40,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

(d) It shall be unlawful for any person to transport in a motor bus or motor omnibus a load exceeding by more than twenty-five (25) per centum the registered seating capacity of such vehicle or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing the load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than thirty-five (35) consecutive miles

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days Any person operating any motor bus or motor omnibus upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum weight allowed in subsections (b) or (c) and not exceeding by more than ten (10) per centum the maximum weight allowed shall in each case upon summary con-

viction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any motor bus or motor omnibus on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum weight allowed in subsections (b) or (c) shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Any person violating any of the provisions of subsection (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten ($10) dollars or more than twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days Such fine shall be in addition to any penalty imposed by any other section or subsection of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Baumunk,	Gutendorf,	McGee,	Smith, W. B.,
Bazin,	Guthrie,	McInroy,	Snider,
Bear,	Hall,	McWherter,	Spencer,
Blair,	Hamilton, R. K.,	Metz,	Stank,
Boies,	Hamilton, W. H.,	Mihm,	Stevenson,
Bolton,	Harris,	Mikula,	Stimmel,
Bomberger,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Breisch,	Hersch,	Monroe,	Strausser,
Breth,	Hewitt,	Moody,	Sucher,
Brown,	Hoggard,	Moore,	Taylor,
Bucchin,	Ide,	Moscrip,	Thomas,
Buchanan,	Jim,	Muldowney,	Thompson,
Bullen,	Johnson,	Munley,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le F.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kerlin,	Peifly,	Wargo,
Cooper,	Kohl,	Peta,	Waterhouse,
Coyle,	Kolankiewicz,	Petrosky,	Weidner,
Curwood,	Kornick,	Pettigrew,	Welsh,
Davis,	Kratz,	Pfaff,	Wescott,
Dougherty,	Kromer,	Phillips,	Whalley,
Down,	Kubacki,	Polaski,	Wheeler,
Downey,	Lafore,	Polen,	White,
DuBois,	Lederer,	Poltenstein,	Whitenight,
Dunn,	Leisey,	Price,	Willaredt,
Ewing,	Leonard,	Quisenberry,	Williams,
Farabaugh,	Leven,	Ragot,	Wilt,
Fenrich,	Light,	Readinger,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C.,
Geer,	Markley,	Schmidt,	Speaker
Gibson,			

NAYS—13

Auker,	Hocker,	Moran,	Toll,
Barkdoll,	Jenkins,	Murray, J. J.,	Tompkins,
Bower,	Kent,	Reagan,	Walsh,
Erb,			

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1100, as follows:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and terms as used in this act shall be construed as follows

"Garbage" shall mean putrescible animal and vegetable waste resulting from the handling preparation cooking and consumption of foods including animal carcasses and parts thereof

"Person" shall mean the Commonwealth or any of its political subdivisions charitable eleemosynary and religious institutions of any nature whatever individuals partnerships corporations and associations

"Department" shall mean the Department of Agriculture of the Commonwealth of Pennsylvania its agents employes attorneys and representatives

"Place of business" shall mean any place where garbage is fed or to be fed to animals

"Premise" shall mean and include all buildings or structures used for the preparation storage feeding or handling of garbage and the ground upon which such building or structure is erected and so much ground adjacent thereto as is used in carrying on the business of such establishment including drains gutters and cesspools used in connection with the establishment

Section 2 Any person firm or corporation who shall receive from any other person political subdivision institution public or private corporation garbage intended for animal feeding purposes within the Commonwealth or any operator of a public dining room or institution public or private who shall feed garbage to animals shall be deemed to be engaged in the business of feeding garbage and must be an operator or employe of a duly licensed garbage feeding plant approved by the Department of Agriculture

Section 3 It shall be unlawful for any person or any agent servant or employe thereof to transport any garbage into Pennsylvania from outside the Commonwealth unless it is consigned and is to be delivered directly to a licensed garbage feeding plant approved by the Department of Agriculture

Section 4 It shall be unlawful for any person to start or operate a garbage feeding business or plant as defined in section two of this act after the first day of July one thousand nine hundred fifty-three unless he has applied to the department for a license to do so has secured said license and has it properly posted at his place of business before the first day of July one thousand nine hundred fifty-three and annually thereafter before the first day of July of each succeeding year and pay to the department at the time said application for registration and license is filed an animal fee of twenty-five dollars ($25) for each place of business operated Provided however That neither the Commonwealth nor any political subdivision nor any charitable eleemosynary or religious in-

stitution shall be required to pay the license fee herein required Any license issued under this act shall not be transferrable and shall apply only to the specific location for the place of business specified in the license Any licensee operating more than one such place of business shall be required to obtain a separate license for each such place

Section 5 Applications for such license shall be made to the department on a form provided by it which application shall set forth the name and address of the applicant his exact location of the place of business and such other information as the department may require

Section 6 Upon receipt of such application the department through its duly authorized agent shall inspect the premises designated as the place of business and upon approval of the buildings equipment sanitary conditions and such other requirements as the department may deem necessary the department shall issue to each applicant a license which shall expire the thirtieth day of June of each year Such license shall be posted in a conspicuous place in or at the place of business and exposed for inspection by any authorized person

Section 7 If an agent of the department finds that such place of business cannot be approved for license upon inspection he shall notify the applicant wherein the same fails to comply If within a reasonable time thereafter to be fixed by the department the specified defects are remedied the department shall make a second inspection and proceed therewith as in the case of the original inspection

Section 8 It shall be unlawful to hinder impede or prevent any duly authorized agent or employe of the department from entering any garbage feeding place of business at any time or any part of any building used in conjunction therewith for the purpose of making inspection of the premises and the methods of operation

Section 9 All garbage feeding premises shall be constructed and managed as follows

(a) Feeding shall be done on water-tight floors properly drained and constructed so as to be maintained in a sanitary condition The same shall apply to places where feeds are mixed and prepared

(b) All buildings connected with such places shall be of sanitary construction and maintained in good repair

(c) Manure and other refuse cans bottles and rubbish shall not be allowed to accumulate in such buildings nor upon the premises and shall be disposed of regularly so as not to cause insanitary conditions or create an unsightly condition on the premises or property adjacent thereto

(d) An adequate supply of water for cleaning purposes and acceptable toilets shall be provided at all times

Section 10 All garbage regardless of previous processing shall before being fed to swine be thoroughly heated to at least two hundred twelve degrees F for at least thirty minutes unless treated in some other manner which has been approved by the department Each lot batch or unit of garbage in its entirety shall be heated to the required temperature and for the required length of time A true and accurate record of garbage so precessed shall be kept and maintained by the operator for a period of one year

Section 11 To protect the public health and to prevent the spread disease among domestic animals the department may adopt and promulgate such rules and regulations as it may deem necessary in carrying out the provisions of this act

Section 12 It shall be unlawful to slaughter swine for human consumption on any premise used as a garbage feeding plant or in any building located on any such premise Dead animals shall be disposed of in compliance with the provisions of the Dead Animal Law approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 796)

Section 13 All such garbage feeding plants or premises shall be maintained in a reasonable sanitary condition and approved methods to exterminate flies vermin and rodents shall be employed regularly

Section 14 (a) If upon examination it is found that any garbage feeding plant or place of business or any part thereof is operating in violation of any of the provisions of this act or any rule regulation or order made pursuant to this act the agent making such examination shall report the unlawful condition to the department and shall at the same time notify in writing the owner lessee or manager of the place of business

(b) Upon receipt of such report the department shall notify the proper owner lessee agent superintendent or manager of the result of the examination and direct that the unlawful condition be remedied within the time specified in the notice

(c) If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied the department may order the license suspended or revoked and the place of business garbage feeding plant closed

(d) The closure of a place of business garbage feeding plant or revocation of the license shall not preclude prosecution for violation of this act

(e) The Attorney General at the request of the Department of Agriculture may in the name of the Commonwealth institute proceedings in equity for the purpose of enforcing the provisions of this act

Section 15 (a) Any person who shall violate any of the provisions of this act or any rule regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding before an alderman magistrate or justice of the peace of competent jurisdiction be sentenced for each offense to pay a fine of not less than fifty dollars ($50) nor more than three hundred dollars ($300) and costs of prosecution and in default of payment of such fine and costs be sentenced to imprisonment in the county jail for a period not exceeding three months and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one year or both in the discretion of the court

(b) In any case where such violation is committed by a garbage feeding plant which is owned or operated by the Commonwealth or any political subdivision or any agency thereof the superintendent manager or other officer or employe who is directly responsible for the operation of the institution of which the garbage feeding plant is a part or with which it is connected shall be deemed to be the person guilty of the violation and shall be prosecuted and punished therefor as herein provided

Section 16 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,

Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran.	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn.	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C., Speaker
Geer.	Markley,	Schmidt,	
Gibson,			

NAYS—1

Auker,

NOT VOTING—2

Kline, Watkins, Kephart,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1101, as follows:

An Act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local regisrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I General Provisions

Section 101 General Provisions Short Title The short title of this act is the "Vital Statistics Law of 1953"

Section 102 General Provisions Effective Date The provisions of this act shall become effective immediately upon final enactment

Section 103 General Provisions Saving Clause The provisions of this act so far as they are the same as those of acts repealed by this act are intended as a continuation of such acts and not as new enactments The provisions of this act shall not affect anything done under the authority of such repealed acts prior to the effective date of this act All regulations and rules made pursuant to any act repealed by this act shall continue in force until changed

by the proper authority named in this act All certificates and permits actually issued under such repealed acts shall continue in force and effect

Section 104 General Provisions Severability If any provision of this act or the application of any provision to particular circumstances is held invalid the remainder of the act or the application of such provision to other circumstances shall not be affected

Section 105 General Provisions Definitions As used in this act

(1) "Department" means the State Department of Health

(2) "Vital statistics" includes the registration preparation transcription collection compilation analysis and preservation of data pertaining to births adoptions legitimations deaths fetal deaths marital status and data incidental thereto

(3) "Live birth" means the expulsion or extraction from its mother of a product of conception irrespective of the period of gestation which shows any evidence of life at any moment after such expulsion or extraction

(4) "Fetal death" means the expulsion or extraction from its mother of a product of conception after sixteen (16) weeks gestation which shows no evidence of life after such expulsion or extraction

(5) "Dead body" means (i) a lifeless human body or (ii) such parts of a human body as permit a reasonable inference that death has occurred

(6) "Fetal remains" means the fetus expelled or extracted in the case of a fetal death as defined by this section

(7) "Person in charge of interment" means any person who places or causes to be placed a dead body or fetal remains in a grave vault or other receptacle or otherwise disposes thereof

(8) "Physician" means (i) a person licensed under the laws of this Commonwealth to engage as a doctor of medicine in the practice of all the branches of medicine or (ii) a person licensed under the laws of this Commonwealth to engage in the practice of osteopathy or osteopathic surgery

Article II State Department of Health

Section 201 Department General Powers and Duties The department shall pursuant to the provisions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) as amended cited as "The Administrative Code of 1929"

(1) Administer and enforce the provisions of this act and the regulations made pursuant thereto

(2) Install and maintain a statewide system of vital statistics

(3) Be the custodian of all vital statistics files and records collected created or compiled under the provisions of this act

(4) Have supervisory power over all local registrars appointed under the provisions of this act

Section 202 Department Bureau of Vital Statistics The Secretary of Health may create staff and equip a bureau of vital statistics and such other administrative organizations within the department as shall be suitable for the execution of the powers and duties conferred upon the department by this act

Section 203 Department State Registrar of Vital Statistics The Secretary of Health may designate the head or chief of a bureau of vital statistics as the State Registrar of Vital Statistics

Section 204 Department Forms The department shall prescribe the forms for all certificates required by this act The department may prescribe all other forms necessary for collecting transcribing compiling and preserving vital statistics The department shall include in such forms all standard items which contribute to a uniform comparable nationwide system of vital statistics

Section 205 Department Regulations The Advisory Health Board shall make and may amend or repeal regulations for the administration of the provisions of this act The Advisory Health Board may make amend or repeal regulations for the administration of a uniform efficient statewide system of vital statistics which will protect the public health and preserve the completeness and integrity of vital statistics records

Article III Registration District Administration

Section 301 Registration Districts Creation by Department The department shall divide the Commonwealth from time to time into registration districts which shall conform to political subdivisions or combinations thereof

Section 302 Registration Districts Local Registrars Appointment and Removal of The Secretary of Health shall appoint a local registrar for each registration district Each local registrar shall appoint a deputy to act in the event of his absence or disability If the department determines that the proper and efficient administration of a registration district requires additional personnel the department may appoint one or more assistants No local registrar deputy or assistant shall be appointed who does not meet the qualifications prescribed by the Advisory Health Board The department may at any time remove any local registrar deputy or assistant for cause The department may abolish the office of any local registrar in the event that the registration district is combined with another The department may reduce the number of assistants at any time

Section 303 Registration Districts Local Registrars' Duties Local registrars shall perform the duties imposed upon them by this act under and subject to the supervision of the department Local registrars shall transmit certificates and transcripts to such places and at such times as shall be prescribed by the department

Section 304 Registration Districts Local Registrars' Compensation Each local registrar shall be paid a fee of fifty cents ($.50) for each certificate transmitted in accordance with the provisions of this act or for each report of no certificates filed during any calendar month The Advisory Health Board by regulation may establish and from time to time revise maximum limits upon the aggregate amount of fees to be paid any local registrars during a given period The fees prescribed by this section shall be paid by the Commonwealth from funds appropriated to the department

Section 305 Registration Districts Institutional Records Required All superintendents managers and other persons in charge of hospitals maternity homes homes for the aged and public and private institutions to which persons resort for medical care or to which persons are committed by process of law shall obtain and record as to each inmate at the time of his admittance all personal information required in the certificate prescribed by the department Each inmate shall supply such information at the time of admittance but if the inmate is unable personally to supply the information a relative of the inmate or other person acquainted with the facts shall do so

Article IV Birth Registration

Section 401 Birth Registration General Provisions A certificate of each birth occurring in this Commonwealth shall be filed with the local registrar of the district in which the birth occurs within a period prescribed by regulations of the Advisory Health Board The certificate shall be prepared signed and filed by the attending physician or licensed midwife except that when there is no attending physician or licensed midwife the certificate shall be prepared signed and filed (1) by the father or (2) in the event of his death disability or absence by the mother or (3) in the event of her death or disability by the householder of the premises or superintendent of the institution in which the birth occurs or (4) in the event of the absence or disability of all persons heretofore named then by such person acquainted with the facts as the local registrar shall designate

Section 402 Birth Registration Foundling Registration The birth of each child of unknown parentage discovered within this Commonwealth shall be registered on a form prescribed by the department and within such period of time following the discovery of the child as the regulations of the Advisory Health Board shall prescribe The

person in charge of the agency or institution or such other person into whose care the child is first delivered shall file the registration form with the local registrar of the district in which the child is discovered Such registration shall be acceptable for all purposes in lieu of a certificate of birth

Article V Death and Fetal Death Registration

Section 501 Death and Fetal Death Registration Certificates to be Filed A certificate of each death or fetal death which occurs in this Commonwealth shall be filed within seventy-two (72) hours after the death or fetal death or within seventy-two (72) hours after the finding of a dead body or fetal remains In every instance the certificate shall be filed prior to the issuance of a permit for interment or other disposition of the dead body or fetal remains The person in charge of interment or of removal of the dead body or fetal remains from the registration district shall file the certificate with the local registrar of the district in which the death or fetal death occurred or if the place of death or fetal death is unknown with the local registrar of the district in which the dead body or fetal remains were found or with such other local registrar as the Advisory Health Board may by regulation designate

Section 502 Death and Fetal Death Registration Information for Certificates In preparing a certificate of death or fetal death the person in charge of interment or of removal of a dead body or fetal remains from the registration district shall obtain the required information The following persons shall supply the information certified by their respective signatures

(1) Personal information concerning the deceased or the fetal death shall be supplied by the person best acquainted with the facts

(2) The medical certification except in the event of a referral to the coroner pursuant to section five hundred three of this act shall be supplied (i) in the case of a death by the physician who attended the deceased during the last illness and (ii) in the case of a fetal death by the attending physician

Section 503 Death and Fetal Death Registration Coroner Referrals The local registrar or person in charge of interment or other person having knowledge of the death or fetal death shall refer to the coroner the following cases (1) where no physician was in attendance during the last illness of the deceased or in the case of a fetal death where there was no attending physician or (2) where the physician in attendance during the last illness of the deceased or the attending physician in the case of a fetal death is physically unable to supply the necessary data or (3) where the circumstances suggest that the death was sudden or violent or suspicious in nature or was the result of other than natural causes In every instance of a referral under this section the coroner shall make an immediate investigation and shall supply the necessary data including the medical certification of the death or fetal death

Section 504 Death and Fetal Death Registration Permits Concerning Dead Bodies and Fetal Remains No person shall dispose of a dead body or fetal remains or remove the same from the registration district until the local registrar issues a permit therefor The local registrar shall issue the permit only after the person in charge of interment or removal has filed with the local registrar a certificate of death or fetal death and has complied with all regulations with respect to the issuance of the permit

The sexton or other person in charge of any premises in which bodies are interred or cremated shall not allow the interment or cremation of any dead body or fetal remains unless a permit issued under this section is presented to him The sexton or other person in charge of such premises shall indorse upon each permit presented to him the date of interment or cremation over his signature and shall return the permit so indorsed to the local registrar of his district within ten days from the date of interment or cremation

Section 505 Death and Fetal Death Registration Out-of-State permits When a death or fetal death occurs outside of this Commonwealth and the dead body or fetal remains are accompanied by a permit for burial removal or other disposition issued in accordance with the law and regulations in force where the death or fetal death occurred the permit shall authorize transportation into or through this Commonwealth and burial or other disposition of the dead body or fetal remains within this Commonwealth without the indorsement of a local registrar of this Commonwealth

Section 506 Death and Fetal Death Registration Regulations Concerning Dead Bodies and Fetal Remains The Advisory Health Board shall make and may amend or repeal regulations governing disposal transportation interment and disinterment of dead bodies and fetal remains in order to protect the public health and promote the integrity and efficacy of death and fetal death registration

Article VI Change of Civil Status

Section 601 Change of Civil Status Marriage Registration The clerk of orphans' court of every county shall execute transcripts of the marriage license applications for marriages solemnized within this Commonwealth The department shall prescribe the forms of such transcripts and the forms of marriage license applications On or before the fifteenth day of each calendar month each clerk of orphans' court shall transmit to the department the transcripts of all marriage license applications pertaining to the executed marriage license certificates filed with him during the preceding calendar month The applicants for each marriage license shall in addition to the fee for the license pay to the clerk of orphans' court a fee of fifty cents ($.50) for the execution and transmission of the transcript required by this section

Section 602 Change of Civil Status Court Reports A certificate of each divorce annulment of marriage adoption and annulment of adoption decreed or ordered in this Commonwealth shall be transmitted to the department The prothonotary or the clerk of the orphans' court shall execute each such certificate on a form prescribed by the department On or before the fifteenth day of each calendar month the prothonotary or clerk shall transmit to the department the ceritficates pertaining to divorces annulments of marriage adoptions or annulments of adoption decreed or ordered during the preceding calendar month For each such certificate the prothonotary or clerk shall assess a fee of fifty cents ($.50) as part of the costs of the proceedings had in connection therewith and shall receive and apply such fee in the same manner and for the same uses as other costs received by him

Section 603 Change of Civil Status Amendment of Birth Certificates (a) Any person born in this Commonwealth (1) whose birth is registered as illegitimate but who is legitimated by the subsequent marriage of his natural parents or (2) whose parentage is determined by a court of competent jurisdiction or (3) who is adopted under the laws of this Commonwealth or of any other state or territory of the United States of America or (4) whose name is changed by order or decree of a court of competent jurisdiction may request the department to prepare an amended certificate of birth on the basis of proof of the new status

(b) The person involved if he has attained majority and is not incompetent or his parent guardian or legal representative shall file an application making such request and shall submit such proof as the Advisory Health Board may by its regulations require

(c) After the amended certificate is prepared any information disclosed from the record shall be from the amended certificate and access to the original certificate of birth and to the documents of proof on which the amended certificate is based shall be authorized only upon request of the person involved if he has atained majority and is not incompetent or upon request of his parent guardian or legal representative or upon order of a court of competent jurisdiction

Article VII Subsequent Registrations

Section 701 Subsequent Registrations Supplemental Re-

ports on Original Records The Advisory Health Board shall adopt regulations for the purpose of obtaining information omitted from original certificates filed with the department Supplemental reports filed within the time prescribed therefor shall be considered a part of the original record and certificates or records so completed shall not be considered as "delayed" "amended" or "corrected"

Section 702 Subsequent Registrations Delayed Registrations The acceptance of any vital statistics record after the time prescribed for its filing shall be subject to such regulations as the Advisory Health Board may deem necessary and proper to preserve the integrity of vital statistics records

Section 703 Subsequent Registrations Correction of Records The acceptance of an application to correct an alleged error in any certificate or record filed with a local registrar or with the department under this act shall be subject to such regulations as the Advisory Health Board may deem necessary and proper to preserve the integrity of vital statistics records

Article VIII Records

Section 801 Records Disclosure in General The vital statistics records of the department and of local registrars shall not be open to public inspection except as authorized by the provisions of this act and the regulations of the Advisory Health Board Neither the department nor local registrars shall issue copies of or disclose any vital statistics record or part thereof created under the provisions of this or prior acts except in compliance with the provisions of this act and the regulations of the Advisory Health Board

Section 802 Records Copies of Marriage Registration and Court Report Records The department shall not issue any copies certified or otherwise of records heretofore or hereafter transmitted to the department which consist of (1) marriage license certificates or transcripts of marriage license records (2) certificates of court orders or decrees of adoption or annulment of adoption or (3) certificates of divorce or annulment of marriage Persons requiring copies of such records shall apply to the court or county office which issued the order decree or marriage license upon which any such record is based

Section 803 Records Disclosure of Illegitimacy of Birth The department shall issue certified copies of or disclose a record from which illegitimacy of birth can be ascertained only upon (1) an order of a court of competent jurisdiction specifying the record sought and holding that such record is necessary for the determination of personal or property rights or (2) a finding by an officer of the department designated by the Secretary of Health that the applicant therefor has attained majority and is not incompetent and is the person to whom the record relates or the mother or legal representative of the person to whom the record relates and further that the information contained in the record is necessary for the determination of personal or property rights

Section 804 Records Disclosure of Other Records Except for records described in sections eight hundred two and eight hundred three of this act the department shall issue certified copies of or disclose a vital statistics record or part thereof if an officer of the department designated by the Secretary of Health finds that the applicant therefor has a direct interest in the content of the record and that the information contained therein is necessary for the determination of personal or property rights

Section 805 Records Disclosure for Research Purposes The department may permit the use of vital statistics records or parts thereof for research subject to strict supervision by the department to insure that the use of the records is limited to research purposes

Section 806 Records Disclosure to Governmental Agencies The department may disclose information or data from vital statistics records to federal state or municipal agencies of government which request such information or data in the interest of conduct of official duty

Section 807 Records Fees for Copies (a) The Advisory Health Board shall prescribe the fees to be paid by applicants for copies of vital statistics records or parts thereof

(b) Federal state and municipal agencies of government may obtain copies of records or certifications of data from records without payment of fees provided that the department and the Commonwealth incur no expense in connection therewith

(c) No fee shall be charged for certified copies of records or parts thereof furnished members of the armed forces of the United States and their dependents during their term of active service and after their death in service or honorable discharge therefrom

Section 808 Records Accounting for Fees The department shall keep an account of all fees received by it pursuant to the provisions of this act and shall deliver the same to the State Treasurer through the Department of Revenue Fees received by local registrars for the issuance of certified copies of original certificates of death pursuant to section eight hundred nine of this act shall not be subject to accounting by the department

Section 809 Records Disclosure by Local Registrars (a) The Advisory Health Board shall be regulations not in conflict with the provisions of this act prescribe the manner and extent to which local registrars shall disclose vital statistics records

(b) Subject to the approval of the Advisory Health Board the department may authorize any local registrar to issue certified copies of original certificates of death or parts thereof which are in his possession but in every instance local registrars shall transmit the original certificates of death to the department in accordance with the rules and orders of the department Any local registrar who issues a certified copy of an original certificate of death in accordance with the provisions of this section shall receive therefor a fee prescribed by the Advisory Health Board not exceeding the fee charged by the department for a like service to be paid by the person applying for the certified copy

Section 810 Records Evidentiary Sufficiency Any record or duly certified copy of a record or part thereof which is (1) filed wtih the department in accordance with the provisions of this act and the regulations of the Advisory Health Board and which (2) is not a "delayed" record filed under section seven hundred two of this act or a record "corrected" under section seven hundred three of this act shall constitute prima facie evidence of its contents except that in any proceeding in which paternity is controverted and which affects the interests of an alleged father or his successors in interest no record or part thereof shall constitute prima facie evidence of paternity unless the alleged father is the husband of the mother of the child

Article IX Penalties

Section 901 Penalties General Provisions Except where a different penalty is provided by this act any person any of the duties imposed upon him by this act or regulations made thereunder or neglects or refuses to perform any of the duties imposed upon him by this act or regulations made thereunder shall for every such offense upon conviction thereof in a summary proceeding before any magistrate alderman or justice of the peace in the county wherein the offense was committed be sentenced to pay a fine of not less than fifty dollars ($50) and not more than three hundred dollars ($300) together with costs and in default of payment of the fine and costs to be imprisoned in the county jail for a period not to exceed thirty (30) days

Section 902 Penalties Misdemeanors Any person (1) who wilfully and knowingly furnishes false information for inclusion in any certificate or record provided for by this act or (2) who wilfully makes or alters any certificate or record provided for by this act or (2) who wilfully makes or alters any certificate or record provided for by this act in violation of the provisions of this act or regulations made thereunder or (3) who wilfully discloses or aids assists abets or induces any other person to disclose

any information contained in vital statistics records in violation of the provisions of this act or regulations made thereunder shall be guilty of a misdemeanor and upon conviction for any of the offenses specified in this section shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or undergo an imprisonment of not more than six (6) months or both at the discretion of the court

Article X Repeals

Section 1001 Repeals Specific Repeals The following acts and parts of acts and all amendments of each are hereby repealed

(1) Section ten of the act approved the twenty-seventh day of April one thousand nine hundred five (P. L. 312) entitled "An act creating a Department of Health and defining its powers and duties"

(2) The act approved the first day of May one thousand nine hundred five (P. L. 330) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An act to establish a State Board of Health for the better protectionof life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties"

(3) The act approved the seventh day of June one thousand nine hundred fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of the act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act"

(4) The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 383) entitled "An act concerning the permanent recordation of certain births birth certificates the issuance of copies of such certificates and prescribing the procedure therefor enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court and imposing duties and powers on such Orphans' Court"

(5) The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 497) entitled "An act requiring prothonotaries and clerks of courts to forward to the Department of Health a certificate of decrees in divorce annulment of marriage adoption and annulment of adoption preceedings providing for the registration of such certificates by the said department the issuance of certified copies thereof and fixing fees and penalties"

(6) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto"

(7) The act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 361) entitled "An act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed"

Section 1002 Repeals General Repealer All other acts and parts of acts inconsistent herewith are hereby repealed

Section 1003 Repeals Acts Expressly Saved from Repeal This act shall not repeal or modify any of the provisions of the following acts

(1) The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 405) entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters"

(2) The act approved the eleventh day of June one thousand nine hundred forty-one (P. L. 114) entitled "An act fixing the fee to be charged by the local authorities in cities of the first class for furnishing certified copies of the record of any birth death or marriage which had been registered in the office of such local authorities prior to the taking effect of the act approved June seventh one thousand nine hundred fifteen (P. L. 900) and for searches of the files and records when no certified copy is made"

(3) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 322) entitled "An act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties"

(4) The act approved the sixth day of April one thouand nine hundred forty-five (P. L. 165) entitled "An act providing for the issuance of certified copies of birth death and marriage certificates by the proper city and county officers in cities of the first class to disabled war veterans and their dependents in death and compensation cases free of charge"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Bomberger,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hocker,	Moore,	Taylor,
Breisch,	Hoggard,	Moran,	Thomas,
Breth,	Ide,	Moscrip,	Thompson,
Brown,	Jenkins,	Muldowney,	Toll,
Bucchin,	Jim,	Munley,	Tompkins,
Buchanan,	Johnson,	Murray, J. J.,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,

Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pettigrew,	Weidner,
Curwood,	Kornick,	Pfaff,	Welsh,
Davis,	Kratz,	Phillips,	Wescott,
Dougherty,	Kromer,	Polaski,	Whalley,
Down,	Kubacki,	Polen,	Wheeler,
Downey,	Lafore,	Poltenstein,	White,
DuBois,	Lederer,	Price,	Whitenight,
Dunn,	Leisey,	Quisenberry,	Willaredt,
Erb,	Leonard,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Wilt,
Farabaugh,	Light,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Worley,
Ferster,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C.,
Geer,	Markley,	Schmidt,	Speaker
Gibson,			

NAYS—1

Filo,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1152, Printer's No. 191

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1172, as follows:

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1907) is hereby further amended to read as follows

Section 2001 Grant of Power For the purpose of promoting health safety morals or the general welfare of townships of the second class the supervisors are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purposes and may also establish and maintain building lines and set back building lines upon any or all public roads or highways The power hereby granted shall be suspended in any township or part of a township during any period of time that any zoning ordinance adopted to law by the county commissioners of the county shall continue to be in effect in such township or part of a township and any ordinance adopted by any township before the adoption of such county ordinance shall likewise be suspended during such period [The] No ordinance shall be adopted to carry out the power hereby granted [shall not be exercised] during the period of two years immediately after the date when taxpayers whose property valuation as assessed for tax purposes within the township amounts to fifty-one per centum or more of the total property valuation as assessed for tax purposes within the township shall sign and file in the office of the prothonotary of the county in which the ownership is located a written protest against the exercise of such powers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 422, as follows:

An act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1889) is hereby further amended to read as follows

Section 7 Licensing of Projectionists Except in Cities of the First Class and Second Class No person shall be permitted to project any motion picture either theatrical or non-theatrical until he has obtained a license from the Department of Labor and Industry after passing an examination prescribed by the said department for which fees shall be charged as hereinafter provided and no person shall be permitted in any projection room during any performance except licensed projectionists apprentice projectionists the manager or owner of the theater or authorized officials of the Department of Labor and Industry Any license may be suspended or revoked for due cause but no license shall be revoked until the projectionist or apprentice projectionist has been granted a hearing before the Secretary of Labor and Industry The amendment providing for the licensing of projectionists in cities of the second class A to become effective as of the first day of January one thousand nine hundred fifty-two.

Every application for examination as a projectionist shall be accompanied by a fee of [two dollars ($2.00)] three dollars ($3.00) If the applicant is successful a certificate of competency and a license shall be issued upon payment of an additional fee of [five dollars (5.00)] seven dollars fifty cents ($7.50) for projectionists of theatrical or commercial motion pictures or a fee of [two dollars ($2.00)] three dollars ($3.00) for projectionists of non-theatrical motion pictures There shall be no examination fee required from apprentice projectionists but there shall be a license fee of [three dollars (3.00)] four dollars fifty cents ($4.50) required the same to accompany application from the apprentice projectionist For the annual renewal of license for a theatrical or commercial projectionist there shall be a fee of [five dollars (5.00)] seven dollars fifty cents ($7.50) charged the same to accompany the application for renewal of license and for non-theatrical projectionists the renewal fee shall be [two dollars ($2.00)] three dollars ($3.00) The renewal fee for apprentice license shall be [one dollar ($1.00)] two dollars ($2.00) All fees shall be paid to the Department of Labor and Industry and by the said department paid to the State Treasurer through the Department of Revenue for the use of the Commonwealth.

Section 2 Section eight of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 908) is hereby further amended to read as follows

Section 8 Approval of Plans It shall be the duty of the owner architect or contractor of every building or structure as described in this act hereafter erected adapted remodeled or altered to submit to the Department of Labor and Industry for approval architectural drawings specifications or other data showing compliance with the provisions of this act and the rules and regulations of the said department which may be promulgated for the enforcement of the provisions of this act No such building or structure shall be erected adapted remodeled or altered until such plans have been examined and approval given by the Department of Labor and Industry and a building permit obtained in municipalities where such permit is required by ordinance.

For making the necessary examination for approval of architectural drawings specifications or other data the department shall make a charge equal to the actual cost of making such examinations not however to exceed the sum of [fifty dollars ($50)] seventy-five dollars ($75.00) and no such drawing specifications or other data shall be approved until payment is made of the fee charged therefor All fees received by the said department for making such examinations shall be paid into the State Treasury through the Department of Revenue

Any such owner architect or contractor whose drawings or specifications have been submitted to and approved by said department as herein provided may proceed with the erection adapting remodeling or altering of such building or structure without submitting such drawings or specifications to or obtaining the approval of any other department board or agency of the State government

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,

Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo E.,	Musto,	Varallo,
Cianfrani,	Jones, Granville E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 423, as follows:

An Act to amend sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (Pamphlet Laws 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" are hereby amended to read as follows

Section 10 No person shall open keep or carry on any employment agency in the Commonwealth of Pennsylvania unless every such person shall have paid to the department a license fee as follows

(1) For licenses to be known as class "A" licenses and which shall be required by all employment agents who confine their operations to persons listed as metal and metal products workers mine and quarry workers clay glass and stone products workers iron workers clothing workers textile workers food and kindred products workers leather rubber and composition goods workers lumber woodwork and furniture workers paper and printing workers unskilled and common laborers hotel and restaurant help domestic and industrial help of all kinds the sum of [one hundred ($100) dollars] one hundred fifty dollars ($150)

(2) For licenses to be known as class "B" licenses and which shall be required by all employment agents known as professional or technical and who confine their operations to nurses teachers advertising managers bookkeepers and accountants cashiers chemists draftsmen surveyors and transit men engineers salesmen and solicitors superintendents and foremen traffic managers agricultural experts chemical workers explosive workers auto mechanics and garage workers chauffeurs and truck drivers aircraft workers inspectors telegraph operators telephone operators station employes shipping and stock clerks store managers beauticians stenographers and typists linotype operators printers and compositors proofreaders office clerks timekeepers tobacco workers and traders and all other similar occupations not listed under clause (1) of this section the sum of [one hundred ($100) dollars] one hundred fifty dollars ($150)

(3) For licenses to be known as class "C" licenses and which shall be required by all employment agencies known as theatrical employment agencies and who confine their operations to actors actresses musicians and performers of all kinds the sum of [one hundred ($100) dollars] one hundred fifty dollars ($150)

Section 14 No person shall enter this Commonwealth and attempt to hire induce solicit or take from this Commonwealth any labor singly or in groups for any purpose without first filing in the office of the department a statement as to where the labor is to be taken for what purpose for what length of time and whether transportation is to be paid to and from destination if temporary also a statement of the financial standing of the company desiring the labor and an affidavit of authority to represent such company in this Commonwealth and such other information as the department may require

The department shall thereupon determine whether the person desiring such labor from this Commonwealth is an employment agent and if so whether such person is qualified to be licensed under this act After such investigation the department may refuse to license or may grant a license upon compliance with the provisions of this act Such person shall in the event of unfavorable action by the department have the right of appeal as in other cases under this act If such person shall be exempted from license he shall pay for registration a fee of [five ($5.00) dollars] ten dollars ($10.00) and receive therefor from the department a certificate recognizing his right to do business in this Commonwealth

Section 15 It shall be unlawful for any person to act or assume to act as the representative of any employment agency without first obtaining a license as such representative from the department It shall be unlawful for any person to engage in operate or carry on the business of an employment agency unless each representative of such agency is a licensed employment representative

Every person who desires to obtain a license as employment representative shall apply therefor to the department in writing upon application blanks prepared and furnished by the department Each application shall set forth such information as the department may require and shall be accompanied by the affidavits of two persons of business or professional integrity residing in the city borough town or township wherein the applicant resides Such affiants shall state that they have known the ap-

plicant for a period of two years and that the applicant is a person of good moral character

The department may require such other proof as to the honesty truthfulness and integrity of the applicant as it deems necessary If the applicant is shown to be honest truthful and of known integrity the department shall issue a license which license shall set out the true name and address of the applicant the name of the employment agent by which he is employed and such additional information as the department may prescribe The license issued shall authorize the person named therein to act as a representative

The department shall charge an annual fee of [five ($5.00) dollars] twenty-five dollars ($25.00) for issuing each such license which fee shall be paid at the time application is made

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 424, as follows:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" is hereby amended to read as follows

Section 9 After January first one thousand nine hundred and thirty-eight every person storing or in possession of explosives shall be required to have a license for each magazine used for the storing or placing of explosives which license shall be issued on a form prepared and furnished by the Department of Labor and Industry The application for license shall be accompanied by the proper license fee which shall be prescribed by the Department according to the quantity of explosives which are to be stored or placed in the magazine and shall not be less than [two dollars and fifty cents ($2.50)] three dollars and fifty cents ($3.50) nor more than [twenty-five ($25)] fifty dollars ($50) Such license shall be kept posted conspicuously in or about the magazine for which issued Licenses shall expire annually on the thirty-first day of December and shall be renewed annually upon payment of the fee as specified in this section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mahan,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,

Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yetzer,
Filo,	Lippincott,	Rosen,	Yeakel,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Markley,	Schmidt,	
Geer,	Mathews,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 425, as follows:

An Act to further amend sections four five and ten of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as amended and reenacted by the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 277) are hereby further amended to read as follows

Section 4 Examination of Inspectors and Fees Therefor No person shall inspect elevators unless he has passed a written examination prescribed by the department Application for examination shall be made in writing upon a form furnished by the department and shall be accompanied by an examination fee of [ten] fifteen dollars ($15) If the applicant is successful in passing the said examination a certificate of competency and a commission shall be issued upon the payment of an additional fee of [five dollars] seven dollars and fifty cents ($7.50) All inspectors shall be required to secure a new credential card each year by application to the department which application shall be accompanied by a fee of [two] three dollars ($3) The Secretary of Labor and Industry may suspend any commission for due cause but no commission may be revoked until the inspector has been granted a hearing

Section 5 Inspection of Insured Elevators If an elevator is insured by a company authorized to insure elevators in this Commonwealth against loss from accident the inspection may be made by an employe of such company and the only fee collectible by the Commonwealth shall be the certificate fee of [one dollar] two dollars ($2) hereinafter provided for in this act

Section 2 Section ten of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 791) is hereby further amended to read as follows

Section 10 Fees for Inspection The fee for the certificate of operation for all insured and uninsured elevators shall be [two dollars ($2)] three dollars ($3) When elevators are inspected by inspectors of the department the following fees shall be charged in addition to the certificate fee

For passenger elevators fees not exceeding [eighteen dollars ($18)] twenty dollars ($20) per annum

For freight elevators including gravity elevators fees not exceeding [nine ($9) dollars] ten dollars ($10) per annum

For dumb-waiters hoists and other lifting apparatus fees not exceeding [four dollars and fifty cents ($4.50)] five dollars ($5) per annum

For building hoists fees not exceeding [four dollars and fifty cents ($4.50)] five dollars ($5) for each inspection

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,

Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Williams,
Erb,	Leisey,	Ragot,	Willaredt,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 426, as follows:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) is hereby further amended to read as follows

Section 305 Every employer liable under this act to pay compensation shall insure the payment of compensation in the State Workmen's Insurance Fund or in any insurance company or mutual association or company authorized to insure such liability in this Commonwealth unless such employer shall be exempted by the department from such insurance An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the department showing his financial ability to pay such compensation whereupon the department if satisfied of the applicant's financial ability shall upon the payment of a fee of [twenty-five dollars ($25,000)] fifty dollars ($50.00) issue to the applicant a permit authorizing such exemption From a refusal of the department to issue such permit an appeal shall lie to the court of common pleas of Dauphin County In any such appeal the only question shall be whether the department abused its discretion in refusing such permit The department shall establish a period of twelve (12) calendar months to begin and end at such times as the department shall prescribe which shall be known as the annual exemption period Unless previously revoked all permits issued under this section shall expire and terminate on the last day of the annual exemption period for which they were issued Permits issued under this act shall be renewed upon the filing of an application and the payment of a renewal fee of [twenty-five dollars] fifty dollars ($50.00) The department may from time to time require further statements of the financial ability of such employer and if at any time such employer appear no longer able to pay compensation shall revoke its permit granting exemption in which case the employer shall immediately subscribe to the State Workmen's Insurance Fund or insure his liability in any insurance company or mutual association or company as aforesaid

If any employer fails to comply with the provisions of this section such employer shall be guilty of a misdemeanor and upon conviction thereof for every such failure shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) and costs of prosecution or imprisonment for a period of not more than six months or both at the discretion of the court Every day's violation shall constitute a separate offense It shall be the duty of the department to enforce the provisions of this section and it shall investigate all violations that are brought to its notice and shall institute prosecutions for violations thereof All fines recovered under the provisions of this section shall be paid by the clerk of the court to the department and by it paid into the State Treasury

In any proceeding against an employer under this section a certificate of non-insurance issued by the official Workmen's Compensation Rating and Inspection Bureau and a certificate of the department showing that the defendant has not been exempted from obtaining insurance under this section shall be prima facie evidence of the facts therein stated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,

Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 427, as follows:

An Act to amend section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" is hereby amended to read as follows

Section 5 Examination of Inspectors and Fees Therefor No person shall inspect boilers for the department unless he has passed a written examination prescribed by the department Application for examination as an inspector of boilers shall be in writing upon a form furnished by the department and shall be accompanied by a fee of [ten] fifteen dollars If the applicant is successful in passing the said examination a certificate of competency and commission shall be issued upon the payment of an additional fee of [five dollars] seven dollars and fifty cents All inspectors shall be required to secure a new credential card each year by application to the department which application shall be accompanied by a fee of [two] three dollars The Secretary of Labor and Industry may suspend any commission for due cause but no commission may be revoked until the inspector has been granted a hearing

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 428, as follows:

An Act to amend the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penalties and repealing certain acts" by increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section six subsection (c) of section eight and subsection (e) of section nine of the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penalties and repealing certain acts" are hereby amended to read as follows

Section 6 * * * * *

(b) For all initial permits issued as required by the preceding section there shall at the time of issue thereof be paid by the applicant to the Department of Labor and Industry a fee of twenty-five dollars ($25.00) An annual renewal charge of [one dollar ($1.00)] five dollars ($5.00) shall be paid to the same department

* * * * *

Section 8 * * * * *

(c) Adhesive stamps as provided for by this act shall be furnished by the Secretary of Labor and Industry in quantities of not less than one thousand (1000) for which the applicant shall pay [ten dollars ($10.00)] fifteen dollars ($15.00) for each one thousand stamps The Secretary of Labor and Industry is hereby authorized to prepare and cause to be printed adhesive stamps which shall contain a replica of the seal of the Commonwealth the registry number of the person applying therefor and such other matter as the secretary shall direct

Section 9 * * * * *

(e) All auctioneers shall be required to be registered in the Department of Labor and Industry and shall secure thereupon a certificate authorizing the sterilization of articles under the jurisdiction of this act by an approved process Each certificate at the time of issue thereof shall be subject to a fee of [five dollars ($5.00)] ten dollars ($10.00) with an annual renewal of [one dollar ($1.00)] five dollars ($5.00)

* * * * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Mathews,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 445, entitled:

A Supplement To the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the suport of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

Mr. HELM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 445

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. WOOD, BOWER and SEYLER.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES—Mr. McCullough, Chairman, Room 331, Tuesday, May 12, at 9:30 a. m. DST.

CITIES—THIRD CLASS—Mr. Mikula, Chairman, Room 21, Tuesday, May 12, at 10:00 a. m. DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Tuesday, May 12, at 10:00 a. m. DST.

PROFESSIONAL LICENSURE—Mr. Flack, Chairman, Room 325, Tuesday, May 12, at 10:30 a. m. DST.

PUBLIC HEALTH AND SANITATION—Mr. Frost, Chairman, Room 329, Tuesday, May 12, at 11:00 a. m. DST.

TOWNSHIPS—Mr. Reagan, Chairman, Room 522, Tuesday, May 12, at 10:30 a. m. DST.

WAYS AND MEANS—Mr. Hall, Chairman, Room 522, Tuesday, May 12, at 11:30 a. m. DST.

DEMOCRATIC CAUCUS

Mr. READINGER. Mr. Speaker, I understand that we are going to meet tomorrow at 1:00 o'clock, Daylight Time. If that is the case, I would ask permission now to call a Democratic Caucus at 1:15 p. m.

PUBLIC HEARING

There will be a public hearing before the Committee on Municipal Corporations on the Philadelphia Wage Tax Repealer, at 10:00 o'clock DST Tuesday, May 12, 1953 in the new House Caucus Room.

ADJOURNMENT

Mr. CIOFFI. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 12, 1953 at 12:00 Noon EST.

The motion was agreed to, and (at 5:21 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, MAY 12, 1953. No. 38.

SENATE

TUESDAY, May 12, 1953.

The Senate met at 12:00 o'clock m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. L. HERDMAN HARRIS, III, Rector of St. James Memorial Church, Titusville, offered the following prayer:

Let us pray.

O God, who knowest the weakness and corruption of our nature, and the manifold temptations which we daily meet, we humbly beseech Thee to have compassion on our infirmities, and to give us the constant assistance of Thy Holy Spirit, that we may be effectually restrained from sin and incited to our duty.

Imprint upon our hearts such a dread of Thy judgment and such a grateful sense of Thy goodness to us, as to make us both afraid and ashamed to offend Thee. Above all, keep in our minds a lively remembrance of that great day, in which we must give a strict account of our thoughts, words, and actions to Him whom Thou hast appointed the Judge of the quick and the dead, Thy Son, Jesus Christ our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. WATKINS, for today's Session only.

He also asked and obtained leave of absence for Mr. WATSON, for today's Session only.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank C. Selecky, R. D. No. 3, Shickshinny, Luzerne County, for appointment as Justice of the Peace in and for the Township of Union, Luzerne County, until the first Monday of January 1954, vice John E. Snyder, deceased.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. HARE. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 11, 1953.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates shown:

To compute from date of confirmation

ALLEGHENY COUNTY

Earl D. Fuerst, Pittsburgh, 1607 Broadway.
Miss Cecelia R. Gabriel, Pittsburgh, 503 Elm St. (19).
Howard R. Hirsh, Pittsburgh, 227 Coltart Street (13).
Carl W. D. Johnson, Wilkinsburg.
George Liss, Pittsburgh, 857 Western Avenue (12).
Miss Myrtle Ray Livermore, Tarentum.
J. B. Magill, Indiana Twp., Dorseyville.
S. A. Molinda, Pittsburgh, 239 Fourth Ave.
Miss Minnie C. Moran, Pittsburgh, 550 Grant St.
Howard E. Moser, Pittsburgh, 1219 Spring Garden Avenue (12).
Paul M. Neubauer, Pittsburgh, 139 University Place (13).

J. H. Scherer, O'Hara Twp., Pittsburgh, 1331 Freeport Road (15).
Theodore L. Staub, Jr., Pittsburgh, 4319 Butler St.
David R. Stotler, Springdale.

BEAVER COUNTY

Peter F. Rocco, Rochester.

BLAIR COUNTY

Milton F. Poet, Altoona.
L. B. Stoudnour, Martinsburg.

BUTLER COUNTY

Miss Mary E. Diehl, Butler Twp., Lyndora.

CAMBRIA COUNTY

John H. Michnya, Johnstown.
Robert S. Woy, Johnstown.

CLEARFIELD COUNTY

Mrs. Marian E. Gauntt, Clearfield.
Miss Minne E. Knepp, Clearfield.

COLUMBIA COUNTY

Mrs. Catherine Gaydosh, Berwick.
Mrs. Helen M. Neuhard, Bloomsburg.

CRAWFORD COUNTY

Peter E. Blystone, Cambridge Springs.
Miss Sally B. Brown, Titusville.
Mrs. Audene A. Rowland, Meadville.
Paul L. Sowles, Titusville.
Rell L. Switzer, Titusville.

CUMBERLAND COUNTY

William H. Boldosser, Carlisle.
H. E. Samberg, Lemoyne.
Roy E. Williams, Jr., Carlisle.

DAUPHIN COUNTY

Mrs. Lillian A. Husted, Harrisburg.
Miss Betty A. Steely, Harrisburg.

DELAWARE COUNTY

Mrs. Mary M. Bowersox, Clifton Heights.
George J. Koenig, Glenolden
Miss Shirley L. Lenz, Upper Darby Twp., Upper Darby.
Mrs. Grace Lewis, Morton.
Miss Shirley L. Lord, Chester.
John A. Murphy, Upper Darby Twp., Upper Darby.
Henry Smolens, Upper Darby Twp., Upper Darby.
Thomas E. Wilson, Upper Darby Twp., Drexel Hill.

ERIE COUNTY

Frank B. Quinn, Erie.
Robert S. Schluraff, Erie.

JEFFERSON COUNTY

Miss Mary Ruth Reitz, Pinecreek Twp., Brookville.

LACKAWANNA COUNTY

Mrs. Pauline Lahotski, Throop.
Robert T. Ryder, Scranton.

LANCASTER COUNTY

Carl H. Groff, New Holland.

LAWRENCE COUNTY

Archie A. Shoup, Bessemer.

LEHIGH COUNTY

Mark Runyon Bittner, Allentown.
Mrs. LeRue L. Hausman, Lynn Twp., New Tripoli.
Mrs. Dorothy Rydzewski, Allentown.
Richard S. Thomas, Slatington.

LUZERNE COUNTY

Miss Margaret R. Helferty, Hazleton.
Mrs. Emeline Roman, Kingston.

MERCER COUNTY

William F. Byers, Jr., Greenville.
T. C. Honold, Jr., Sharon.

MONTGOMERY COUNTY

Mrs. Bertha E. Frye, Pottstown.
William S. Gutek, Jr., Hatboro.
Miss Alma Conrad Lauer, Springfield Twp., Chestnut Hill Lumber Co., Bethlehem Pike & Montg. Ave., Phila

NORTHAMPTON COUNTY

Pasquale Cinelli, Jr., Bangor.
Placid Mammana, Easton.

MONTGOMERY COUNTY

Mrs. Marie M. Moyer, Trappe, Collegeville.
Joseph R. Volpe, Abington Twp., Abington

PHILADELPHIA COUNTY

Irving Berg, 4 E. Richmond Street (23).
Mrs. Evelyn C. Bradley, 2436 N. Newkirk St. (32).
Benj. B. Brasler, 4913 York Road (41).
J. Vincent Brophy, 6325 Limekiln Pike (38).
Mrs. Pearl S. Coblentz, 11500 Roosevelt Blvd. (15).
Miss Carmela M. Fortunato, 1011 E. Passyunk Ave. (47)
Charles F. McCafferty, 4920 North Broad St. (41).
Miss Theresa McDonald, 416 Walnut Street (6).
Stewart MacDonald, 1949 Pratt Street.
Mrs. Mary C. Maguire, 500 Lincoln Liberty Bldg.
Joseph F. Ronconi, 1437 Federal Street.
Mrs. Thelma Stern, 6105 Castor Ave. (24).
Miss Margaret T. Ward, 5200 Grays Avenue (1).

SOMERSET COUNTY

Miss Dorothy K. Beggs, Confluence.
Donald B. Kaufman, Confluence.

VENANGO COUNTY

Robert Y. Daniels, Franklin.

WESTMORELAND COUNTY

F. I. Lyle, New Kensington.
R. W. McKenney, Greensburg.
R. C. Thompson, North Belle Vernon.

YORK COUNTY

Mrs. Georgianna G. Masoner, York.

JOHN S. FINE.

A motion was made by Mr. HARE and Mr. MAHANY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Snowden,
Barr,	Hare,	McCreesh,	Stevenson,
Berger,	Harney,	McCusker,	Stiefel,
Blass,	Holland,	McGinnis,	Taylor,
Camiel,	Kephart,	McMenamin,	Toole,
Chapman,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr	Miller,	Wagner,
Dent,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 51

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 51, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 112

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 112, entitled:

An Act to further amend Section 1 of the act, approved the thirtieth day of March, one thousand nine hundred fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," by further regulating the hours of duty of firemen in cities of the second class.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 514, entitled:

An Act fixing the fees or costs to be charged by magistrates of cities of the first class and imposing liability therefor upon the county in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 1021, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating size and weight of buses

Which was committed to the Committee on Highways.

House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

Which was committed to the Committee on Agriculture.

House Bill No. 1101, entitled:

An Act providing for the administration of a state wide system of vital statistic prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1172, entitled:

An Act to further amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second clas sand amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN SENATE BILL No. 422

He also returned to the Senate, Senate Bill No. 422, entitled:

An Act to further amend section seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the

Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by increasing certain fees

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 423

He also returned to the Senate, Senate Bill No. 423, entitled:

An Act to amend sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 616) entitled "An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws" by increasing certain fees

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 424

He also returned to the Senate, Senate Bill No. 424, entitled:

An Act to amend section nine of the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by increasing certain fees. with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 425

He also returned to the Senate, Senate Bill No. 425, entitled:

An Act to further amend sections four five and ten of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industries providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by increasing certain fees

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 426

He also returned to the Senate, Senate Bill No. 426, entitled:

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 427

He also returned to the Senate, Senate Bill No. 427, entitled:

An Act to amend section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of act inconsistent with this act" by increasing certain fees

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 428

He also returned to the Senate, Senate Bill No. 428, entitled:

An Act to amend the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled "An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations providing penalties and repealing certain acts" by increasing certain fees.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 422, entitled:

An Act to further amend sections seven and eight of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled, as amended, "An act to provide for the safety of persons employed, housed or assempled in certain buildings and structures not in cities of the first class, second class and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists, except in cities of the first class and second class; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by increasing certain fees.

Senate Bill No. 423, entitled:

An Act to amend sections ten, fourteen and fifteen of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616), entitled "An act defining, regulating and providing for the licensing and registration of employment agents, and their repre-

sentatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties and repealing existing laws," by increasing certain fees.

Senate Bill No. 424, entitled:

An Act to amend section nine of the act approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by increasing certain fees.

Senate Bill No. 425, entitled:

An Act to further amend sections four, five and ten of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

Senate Bill No. 426, entitled:

An Act to further amend section three hundred five of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by increasing certain fees.

Senate Bill No. 427, entitled:

An Act to amend section five of the act approved the second day of May, oe thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

Senate Bill No. 428, entitled:

An Act to amend the act approved the twenty-seventh day of May, one thousand nine hudred thirty-seven (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," by increasing certain fees.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 445, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 445, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

and has appointed Messrs. WOOD, BOWER and SEYLER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 445

The PRESIDENT pro tempore. The Chair announces the appointment of Messrs. WALKER, WOOD and BANE as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 445.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Allegheny, Mr. Walker, to the rostrum to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on Banking, reported as amended Senate Bill No. 236, entitled:

An Act designating a certain banking institution as an additional loan and transfer agent of the Commonwealth, and conferring powers and imposing duties upon such institution and certain State officers with respect thereto.

He also, from the Committee on Banking, reported as amended Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by redefining the term, share certificate, and further providing for the issuance and preservation of share certificates

He also, from the Committee on Banking, reported as committed Senate Bill No. 259, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) No. 108), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights, powers, duties, liabilities, and immunities of such associations and of their directors and shareholders; and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

He also, from the Committee on Banking, reported as committed Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," by further providing for the issuance of share accounts to minors and validating their acquittances.

Mr. MADIGAN, from the Committee on Agriculture, reported as amended Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

Mr. FLEMING, from the Committee on Forests and Waters, Game and Fish, reported as amended Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended Senate Bill No. 208, entitled:

An Act providing for a propagation and educational program by the Department of Forests and Waters; relating to the propagation of nut and wild fruit trees and seed bearing shrubs in this Commonwealth; the distribution and planting of nut and wild fruit tree seeds with the cooperation of certain State and Local governmental agencies; prescribing penalties.

He also, from the Committee on Forests and Water, Game and Fish, reported as committed House Bill No. 281, entitled:

An Act to add section 684.1 to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful for officers or employes of the Commonwealth to drive over certain closed roads for purpose of hunting or fishing.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed Senate Bill No. 314, entitled:

An Act providing for the establishment of a fish hatchery in Wayne or Pike Counties; and making an appropriation.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed Senate Bill No. 545, entitled:

An Act directing the Department of Forests and Waters to build a replica of Ole Bull's Castle on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norwegian musician.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 1009, entitled:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed House Bill No. 1079, entitled:

An Act to amend Subsecton (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses

Mr. HARNEY, from the Committee on Local Government reported as committed House Bill No. 13, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 189, entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

He also, from the Committee on Local Government, reported as committed House Bill No. 347, entitled:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire burglary larceny theft robbery forgery or fraud.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 476, entitled:

An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled, "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by further classifying real estate for the purpose of taxation.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 510, entitled:

An Act to further amend Section 20 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by conferring powers and imposing duties on the State Treasurer regarding the collection and payment of per capita, poll and occupation taxes owed by State employes.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs and cities.

He also, from the Committee on Local Government, reported as committed House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

BILL RE-REFERRED

He also, from the Committee on Local Government, reported as committed Senate Bill No. 247, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; further prescribing the power of the retirement board to provide minimum retirement allowances.

Which was re-referred to the Committee on State Government.

He also, from the Committee on Agriculture, reported as committed Senate Bill No. 439, entitled:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes, and for the control of the stem rust disease of wheat, oats, barley and rye upon request of county commissioners, and authorizing the Department of Agriculture to establish regulations therefor.

Mr. WEINER, from the Committee on Insurance, reported as committed, Senate Bill No. 446, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

He also, from the Committee on Insurance, reported as committed Senate Bill No. 447, entitled:

An Act to amend the act, approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

Mr. LANE, from the Committee on Local Government, reported as amended Senate Bill No. 40, entitled:

An Act to further amend Section 505 of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor; assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by increasing the compensation of assessors.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 464, entitled:

An Act relating to the education certification and jurisdiction of justices of the peace and aldermen conferring powers and imposing duties on the Department of Public Instruction the president judge of the various courts of common pleas, and county commissioners.

He also, from the Committe on Local Government, reported as amended Senate Bill No. 542, entitled:

An Act to amend the Title and the act, approved the second day of May, one thousand nine hundred forty-nine (P. L. 873), entitled "An act requiring that the name, address, political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections; requiring secretaries of political subdivisions to report to said bureau the names of persons appointed as chief administrative officials, the name of the office, and the name of the person succeeded," by eliminating certain reports from the county board of elections and requiring reports from the secretaries of political subdivisions to the Bureau of Municipal Affairs and to the county commissioners of the county in which the political subdivision is located

Mr. MAHANY, from the Committee on Rules, re-reported as committed Senate Bill No. 334, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department, boards and commissions shall be determined," by making the Milk Control Commission a departmental administrative commission in the Department of Agriculture and prescribing its powers and duties.

BILLS INTRODUCED AND REFERRED

Mr. HARE read in his place and presented to the Chair Senate Bill No. 576, entitled:

An Act defining and providing for the licensing of water well drillers conferring powers and imposing duties on the Water and Power Resources Board of the Department of Forests and Waters and prescribing penalties.

Which was commited to the Committee on Education.

Mr. FREED read in his place and presented to the Chair Senate Bill No. 577, entitled:

An Act to further amend section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by limiting to forty hours the work week of police officers except in emergencies.

Which was commited to the Committee on Local Government.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 578, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania by providing for exemption of certain disabled veterans from certain taxes.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 579, entitled:

An Act providing for the regulation of smoke and other forms of air pollution coming from chimneys, smokestacks and other sources in counties of the fourth class; authorizing the creation of commissions to make studies, the collection of certain fees and the expenditure of money for effectuating such regulations and providing penalties.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 580, entitled:

An Act providing for the regulation of smoke and other forms of air pollution coming from chimneys, smokestacks and other sources in counties of the fifth class; authorizing the creation of commissions to make studies, the collection of certain fees and the expenditure of money for effectuating such regulations and providing penalties.

Which was commited to the Committe on State Government.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 581, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

Which was committed to the Committee on Appropriations.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 583, entitled:

An Act to add Section 1.1 to the act, approved the twenty-six day of September, one thousand nine hundred fifty-one (P. L. 1458), entitled "An act relating to records of governmental departments or agencies or private businesses, institutions, professions or callings; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records," by authorizing prothonotaries to make or accept photostatic or microfilm copies of legal documents.

Which was committed to the Committee on Judiciary General.

Mr. McMENAMIN read in his place and presented to the Chair Senate Bill No. 584, entitled:

An Act requiring employes of the Commonwealth or its agencies, or political subdivisions and employes of State-aided institutions to testify relating to government affairs, or conduct of officers, or employes of the Commonwealth, or its agencies, or political subdivisions and to waive certain immunities.

Which was committed to the Committee on Judiciary General.

Messrs. BARR and WALKER read in place and presented to the Chair Senate Bill No. 585, entitled:

An Act to amend clause (k) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to sell real property and validating sales heretofore made.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 586, entitled:

An Act to amend the title and Section 1 of the act, approved the seventeenth day of April, one thousand nine hundred forty-seven (P. L. 63, No. 29), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereof, if any; to construct buildings and faclities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," by extending the provisions of the act to cities of the second class of this Commonwealth.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 587, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled as amended "An Act creating as bodies corporate and politic 'Parking Authorities' in cities of the first, second, second A and third classes, boroughs, and townships of the first class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem, and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State, political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by defining the rights of lessees of parking facilities; extending the power to lease parking facilities and to exchange properties; authorizing temporary bonds; and further providing for acquiring property by eminent domain.

Which was committed to the Committee on State Government.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act regulating the emission of smoke, dust and fumes into the atmosphere; establishing a State Smoke Control Commission in the Department of Health, and fixing its powers and duties; providing for the organization of the various counties into smoke control districts; the appointment of their various officers and employes, and prescribing their powers and duties; providing financial assistance to such smoke control districts; authorizing the county commissioners to make appropriations thereto; and fixing penalties.

Which was committed to the Committee on State Government.

STUDENTS FROM EAST TAYLOR TOWNSHIP SCHOOL DISTRICT, CAMBRIA COUNTY, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair at this time wishes to call to the attention of the Members of the Senate the presence of fifty-two students from the seventh grade, of the East Taylor Township School District, Cambria County, under the direction of Mr. Joseph Nagg and Mr. Clarence Rorabaugh. They are here as guests of the gentleman from Cambria, Mr. Haluska.

Will the guests of Senator Haluska please rise in place and take a bow?

SENATE CONCURRENT RESOLUTIONS

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO CONDUCT STUDY OF ADMINISTRATIVE SYSTEMS OF PUBLIC SCHOOLS WITHIN TERRITORIAL LIMITS OF COUNTIES

Messrs. FLEMING and KESSLER offered the following resolution which was twice read and referred to the Committee on Rules.

In the Senate, May 12, 1953.

Public education is one of the severest drains on the revenues of the Commonwealth and of local taxpayers. Despite the increase in State aid for public schools from $30,383,592.00 during the 1921-23 biennium to an estimated $325,009,404.00 during the 1951-53 biennium and in the total cost of public schools from $281,376,353.00 during 1921-23 to an estimated $846,254,220.00 for 1951-53, services provided for children in most school districts are inadequate. In addition, the cost of public school operation continues to rise and the need for further services increases.

It has been charged from time to time, that present systems of administration fail to produce the maximum and urgently needed services and that reprsentatives of the present systems have not been able, after three or more years of study to prepare corrective recommendations acceptable to public school administrators; therefore be it

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby instructed to conduct a study of administrative systems of public schools within territorial limits of counties from points of view of quality of programs; availability of specialized services and financial control; and to report to the next Regular Session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect.

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 12, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Wednesday, May 20, 1953 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Wednesday, May 20, 1953 at three-thirty o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. DENT. Mr. President and Members of the Senate, I am about to present a resolution on behalf of the eighteen Members of the Senate who belong to the Minority. This action has been decided after reading the daily newspapers in which appeared a release, dated as of yesterday, under the signature of the Secretary of Welfare, William C. Brown.

Mr. President, I have known Secretary Brown for a few years, and I have always held a rather high opinion of the man's integrity and believed he possessed a great deal of ability. It came as quite a shock to me to realize that the man may not be well, because after reading this release, as of yesterday, in this morning's paper, I am compelled to believe that perhaps the statement made by my father a great many years ago has some truth in it. My dad told me when I was a boy that if a man rides a jackass long enough, he begins to act like one. It seems that Secretary Brown, having been in charge of mental institutions for so long, is becoming somewhat confused.

In this statement, Mr. President and Members of the Senate, Secretary Brown attempts to create, or to further create in Pennsylvania, the impression that the eighteen Democratic Senators are in the Majority in the Senate, and the ninety-eight Democratic House Members are in the Majority in the House. Those of us who, through many years of experience, have learned the practical side of legislative action know that the Majority Party is that which has the greatest number of votes in either branch. It so happens that the Republicans are in control of the House and the Senate, a fact which Secretary Brown either does not know about or is trying to ignore in his statement.

For instance, Mr. President, I would like to read the first three whereas clauses of this resolution:

"Whereas, Secretary of Welfare, William C. Brown, in a news release, paid for out of tax monies, made the following statement—

" 'Unless some drastic action is taken between now and May 31st to provide the necessary funds to properly operate our various institutions, both State-owned and State-aided, it will be necessary to start closing buildings, wards, and cell blocks in order to consolidate our operations and not revert to the days of the shackles and bars in our Mental Hospitals and the rule of the Four Horsemen in our Penitentiaries.' and

"Whereas, the same Secretary Brown had this to say—

" 'If this becomes necessary, the onus will be on the Democrats who have been playing strict party politics in doing and voting as they are told instead of voting according to the dictates of their consciences and the wishes of the people who elected them. So far they have thwarted all revenue producing programs which have been offered.' and

"Whereas the same Secretary Brown has this to say—

" 'The time has come when the people of Pennsylvania should raise their voices in righteous indignation against the Democratic leaders in the Legislature, who are holding the people's elected representatives in both houses in line by fear of political reprisals. Making them vote in a solid bloc as their leaders tell them in order to embarrass the Republican leadership in the Republican's valiant but thus far fruitless efforts to raise the funds necessary to meet the Commonwealth's obligations'."

Now, Mr. President, this resolution was drafted because we believe that something must be done to compel the

thinking public to realize that we are the Minority and that there has been only one tax program advanced and, to date, that tax program has not reached the floor, and that there has been no alternative program advanced. The Members of the Senate have had no opportunity whatsoever to vote on any revenue measure.

So, Mr. President, I will continue with the resolution as prepared by the eighteen Democratic Senators.

"Whereas, these statements are so idiotic that the question arises as to the mental balance of the individual responsibile for them, and

"Whereas, the whole trend of the present Session of the Legislature is based upon a vain attempt to find a scapegoat for the inefficiency, lack of leadership and the general low level of political integrity now apparent to all of the people of Pennsylvania, and

"Whereas, some department heads, such as Secretary Brown, who have blindly spent millions of taxpayers dollars without any restrictive investigation of the methods employed by their departments have become and are becoming frantic because a militant minority is demanding economy in government, that they have decided to attempt to place upon the Democratic Minority the onus for the failure of the Republican Majority to meet their obligations to the people of Pennsylvania, and

"Whereas, the entire structure of administrative government is endangered by the wild and insensible lament blazant forth thru the fog horn of irresponsibility by persons of doubtful mental stability, therefore

"Be It Resolved that the Department of Health and the General Assembly name a committee of five competent, qualified, alienists to give a thorough and searching examination of Secretary of Welfare, William C. Brown, to determine whether or not, as an agent of the government, he should be held responsible for the statements so wildly and foolishly made, and

"Be It Further Resolved that a copy of this Resolution be sent to the proper officials in the administration, who have the power and authority, to curtail such irresponsible and idiotic outbursts that serve only to add to the confusion now existent in Harrisburg."

Mr. President and Members of this Senate, in a great many years of experience I have watched many things develop and I, at this time, watch with apprehension the well-planned program designed to have the people of Pennsylvania lay at the door of the Democratic Party the failure, to date, to pass the sales or any other tax program.

Now, Mr. President and Members of the Senate, I would like to make an offer to the Republican Senators this afternoon and to the people of Pennsylvania. We have eighteen Democratic Senators. If you will give us eight of your courageous men, we will produce a tax program. I also believe that if you will give seven Republican Members to the ninety-eight Democrats in the House, they will assume the responsibility and give to the people of Pennsylvania the necessary revenues to carry out the needs of this Commonwealth.

Mr. President, I am very much disappointed that any person in political life—and I assume that a man who is the head of a department is in political life—would be so extremely foolish as to attempt to place at the doors of the Democrats the closing of the institutions. To think that he would be so idiotic as to try to create the impression that if we do not vote for some tax bill immediately, without consideration of its effects upon the peoples of this Commonwealth, that the doors will be closed at the hospitals, that the institutions will close.

Mr. President, there is not anything further from the imagination or from the truth than that particular statement of the Secretary of Welfare. We have the right to doubt the mental capabilities of a man who would issue such a statement to the public press, a man who is responsible for the spending of millions of taxpayers' dollars, a man who has within his grasp the welfare of many persons of mental deficiency, of the children in welfare who are in need of the institutions of this great Commonwealth. Yet, they are entrusted to a man of this type, a man of his character, a man who does not realize that above and beyond everything else, even above and beyond political consideration in a political Session of the Legislature, there is some reason to believe that there ought to be some truth told to the public, some truth told to the people of Pennsylvania. He knows that it is not a responsibility of ours, and any onus or blame that might come from the failure to act in time, as he said, in six days, then it cannot possibly be the fault of the Democratic Party.

Mr. President, if it is, however, to be blamed upon us, then give us the necessary weapons with which to work. Give us the eight votes over there, and let us put out a program for the people of Pennsylvania. Give us the seven votes in the House, and let the Democrats be responsible and let them put out a program for the people of Pennsylvania.

Mr. President, if we are going to have Cabinet Officers running over the Commonwealth of Pennsylvania in a vain attempt to protect their jobs and to keep themselves in power, then I say to you that we have every right to present to this Senate resolutions that would call upon the Senate to examine the mental processes of individuals of this type.

Mr. President, I can easily understand why Governor Fine is in trouble. I can easily understand why the administration, during this four year term of the Republican Party, has been so haphazard and so inefficient. If this is the type of person, if this is the type of irresponsibility that prevails throughout the administrative departments, then I say to you that the Governor cannot be anywhere except in trouble. He cannot be anything but in trouble. There is not any other way that the man can find a way to give the people of Pennsylvania the kind of government that he promised, and which I believe he is trying to give. How can he? Every time he turns around, some department head makes a statement as foolish as this one. Of all the foolish statements I have heard in twenty years, this is the worst.

Mr. President, let me read you another paragraph. Why, some of you people would not believe that this could happen in our day and age. Let us listen to this one. I think that you ought to hear this one. The situation is almost unbelievable. Here he said, Mr. President, that "The Democratic leaders in the Legislature are holding the people's elected representatives in both houses in line by fear of political reprisals."

Now, Mr. President, there is not a Democratic Senator here who has one political nephew on the payroll any-

where in Pennsylvania. We do not have any jobs in the State; we do not get any contracts; we do not have anything to do with the patronage. How can we, by threat of political reprisals, have the Senators on the other side stay in line or out of line on any tax or other measure in this Commonwealth? How can we go to the Republican Members of the House and say to them, "If you do not vote for the sales tax, we will fire your nephew or your uncle who is on the payroll"? Mr. President, we did not put the uncle on the payroll; we did not put the nephew on the payroll. Political reprisals! Do you agree with me that we ought to get a first-class psychiatrist in here to look over some of these Cabinet positions we have?

Mr. President, let use see what else he has said. This is the one which I think is very good, and I think that most of you will agree with me. "It will be necessary to start closing buildings, wards, and cell blocks"—now we are going to turn all the prisoners loose if the Democrats do not vote for the sales tax—"in order to consolidate our operations"—and that means, of course, that we will close all of the institutions and keep everybody on the payroll, that is consolidation—"and not revert to the days of the shackles and bars in our Mental Hospitals and the rule of the Four Horsemen in our Penitentiaries."

Mr. President, it is almost ridiculous, and I think you all accept it in the vein in which it is given. It is a sign of a breakdown of government when persons who are charged with the responsibility, such as a Cabinet position in any administration, Democratic or Republican, will allow himself to become so confused with the issues before the General Assembly that he deliberately and without a basis of foundation or fact will try to confuse the people of Pennsylvania.

Now, Mr. President, the reason we are serious about this is this. Certain individuals, who are bound to the Republican administration for certain favors have sent notices out to the school teachers of Pennsylvania and have tried to impress, and in many instances have impressed, the school teachers of Pennsylvania by saying to them that the responsibility for the school teachers' salary increases lies in the lap of the Democratic Party.

Mr. President, we have been accustomed over the years to being blamed for many of our faults and to having our virtues misrepresented, but I think the time has come when the school teachers of Pennsylvania should stop listening to false leadership and to go into the records of the Commonwealth of Pennsylvania. In the past twenty years, not one Democratic Member has ever voted against a piece of legislation beneficial to the educational system of the Commonwealth of Pennsylvania. At no time have we ever failed, when necessity existed, to provide sufficient funds for the Commonwealth to operate its departments.

On top of that, Mr. President, we find that we have other persons; for instance, those who are interested in third class city governments. The leaders of that particular lobby group have notified the third class cities in the Commonwealth that the Democratic Minority is responsible for the stalemate in Harrisburg. How, by any stretch of the imagination, can any of you accuse us, with one-third of the votes in this Senate, how can you accuse us of stopping or stalemating this Session of the Legislature?

Mr. President, when these individuals, who, as I have said, are just wings of the Republican plane, are out giving to Pennsylvania this false impression, we object strenuously to any person who is in authority in Pennsylvania jumping on the same band wagon. We do not accept the responsibility for the mess in which we find ourselves. However, we will accept the responsibility to the people of Pnnsylvania to help solve the mess in which we find ourselves. In order to do so, admit that you have failed in your efforts and turn over to us the responsibility of government, which I assure you we will assume.

SENATE RESOLUTION REFERRED TO COMMITTEE COMMITTEE TO INVESTIGATE DEPARTMENT OF WELFARE

Messrs. DENT, BANE, BARR, CAMIEL, DiSILVESTRO, HALUSKA, HOLLAND, LANE, LEADER, McCREESH, McGINNIS, McMENAMIN, RUTH, SILVERT, STIEFEL, TOOLE, WEINER, and YOSKO offered the following resolution which was twice read as follows:

In the Senate, May 12, 1953.

Whereas, Secretary of Welfare, William C. Brown, in a news release, paid for out of tax monies, made the following statement:

"Unless some drastic action is taken between now and May 31st to provide the necessary funds to properly operate our various institutions, both State-owned and State-aided, it will be necessary to start closing buildings, wards, and cell blocks in order to consolidate our operations and not revert to the days of the shackles and bars in our Mental Hospitals and the rule of the Four Horsemen in our Penitentiaries." and

Whereas, the same Secretary Brown had this to say:

"If this becomes necessary, the onus will be on the Democrats who have been playing strict party politics in doing and voting as they are told instead of voting according to the dictates of their consciences and the wishes of the people who elected them. So far they have thwarted all revnue producing programs which have been offered," and

Whereas, the same Secretary Brown has this to say:

"The time has come when the people of Pennsylvania should raise their voices in righteous indignation against the Democratic leaders in the Legislature, who are holding the people's elected representatives in both houses in line by fear of political reprisals. Making them vote in a solid bloc as their leaders tell them in order to embarrass the Republican leadership in the Republican's valiant but thus far fruitless efforts to raise the funds necessary to meet the Commonwealth's obligations." and

Whereas, these statements are so idiotic that the question arises as to the mental balance of the individual responsible for them, and

Whereas, the whole trend of the present Session of the Legislature is based upon a vain attempt to find a scapegoat for the inefficiency, lack of leadership and the general low level of political integrity now apparent to all of the people of Pennsylvania, and

Whereas, some department heads, such as Secretary Brown, who have blindly spent millions of taxpayers' dollars without any restrictive investigation of the methods employed by their departments have become and are becoming frantic because a militant minority is demanding economy in government, that they have decided to attempt to place upon the Democratic Minority the onus for the failure of the Republican Majority to meet their obligations to the people of Pennsylvania, and

Whereas, the entire structure of administrative government is endangered by the wild and insensible lament blazant forth thru the fog horn of irresponsibility by persons of doubtful mental stability, therefore

Be It Resolved that the Department of Health and the

General Assembly name a committee of five competent, qualified, alienists to give a thorough and searching examination of Secretary of Welfare, William C. Brown, to determine whether or not, as an agent of the government, he should be held responsible for the statements so wildly and foolishly made, and

Be It Further Resolved that a copy of this Resolution be sent to the proper officials in the administration, who have the power and authority, to curtail such irresponsible and idiotic outbursts that serve only to add to the confusion now existent in Harrisburg.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. MAHANY. Mr. President, first I would like to object to the immediate consideration of this resolution and ask that it be referred to the proper committee because, perhaps, it might be amended to include the Democrats, as well as the Secretary of Welfare, and such others that the committee might decide would need some psychiatric attention.

Now, Mr. President, I think Senator Dent has in some way or another gotten a new trick. Instead of making speeches under the heading of "Petitions and Remonstrances," he has acquired this trick of putting it under "Resolutions," and he puts a resolution out here and then makes a speech. Of course, I did not want to rise to a point of order, because I want to be as liberal as possible with the Senator and with all the Members. However, it is certainly a new trick with which we will have to contend.

Mr. President, Secretary Brown, of course, is alarmed that the current biennium is about to end, the last day of this month, and he needs some funds to operate his department. The fact of the matter is that through the various technicalities and objections that have been made to a certain deficiency bill, we have now made it impossible for the Secretary to pay his employees for the past month, and we are now doing everything possible to put a bill through which will allow him to pay these employees who have had to go down to a local bank and borrow the money on which to live, pending the time we could get this bill through so that they might obtain their salaries and their wages.

Mr. President, I do not think Secretary Brown was correct in accusing the Senate leadership of stalling, because in the Senate they do represent—that is the Senate Minority, the Democrats—a real true minority. I feel that if any tax program comes over from the House, that we on the Majority side will be able to put it through and take whatever credit there is in connection with the passage of such a program, and whatever onus there is in connection with such a program.

Mr. President, it has always been true in the history of the Commonwealth of Pennsylvania that the Majority Party has the obligation to pass tax programs. That has been true ever since I have been a Member of this Legislature. Each Session we always receive these speeches on the part of the Minority that if they were in the Majority, they would have a different program.

Mr. President, I remember back about 1947, when we put the pop tax on. At that time, Senator Dent came in with a whole laboratory of equipment. Our Senate Chamber looked a little bit—

Mr. LANE. Mr. President—

The PRESIDING OFFICER. For what purpose does the gentleman wish to be recognized?

POINT OF ORDER

Mr. LANE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Washington, Mr. Lane, will state his point of order.

Mr. LANE. Mr. President, I say that under Rule No. 39, the Majority Leader is out of order.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, read the rule to which he is referring, please?

Mr. LANE. Rule 39, "The following resolutions after they have been read, shall be referred to an appropriate committee, without debate (unless by unanimous consent the Senate shall otherwise direct)."

Mr. President, the gentlman is not in order at this time by making a speech, and I object.

Mr. MAHANY. Mr. President, I concur with that and that is the reason that I stated, when I first started to speak, that I was liberal with Senator Dent. He was also out of order. I did not object then, but if there is an objection made I will go along with the gentleman from Washington, Senator Lane, and say that I was out of order.

The PRESIDING OFFICER. There being objection to the immediate consideration of the resolution, it is referrd to the Committee on Rules.

Mr. LANE. Mr. President, I will withdraw my objection, providing the Majority Floor Leader does not go back into the Session of 1947.

The PRESIDING OFFICER. May the Chair suggest that the suggestion, under the rule, if it is going to be limited, that the rules and regulations be written out as to what the limitation is so the Chair will know how to rule in the future.

The gentleman is objecting under Rule No. 39, and the objection has been agreed to by the Majority Leader and sustained by the Chair.

Mr. DENT. Mr. President, I move that the Majority Leader be given unanimous consent to go back as far as he wants to, because the further back he goes, the more he will find out they are wrong.

The PRESIDING OFFICER. There is nothing before the Senate at this point. We were under the heading of "Original Resolutions." The resolution presented by the gentleman from Westmoreland, Mr. Dent, has already been referred to the Committee on Rules where it can be debated to its heart's content.

Mr. HOLLAND. Mr. President, I went to the trouble of calling up the Department of Welfare and inquiring from them just why the appropriations which were to extend over twenty-four months were used up on March 31.

The PRESIDING OFFICER. Will the gentleman yield for just a minute? We are under the heading of "Original Resolutions." Is the gentleman from Allegheny, Mr. Holland, presenting a resolution?

Mr. HOLLAND. I am, Mr. President.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. HOLLAND. Mr. President, I received one of the most startling answers that I have ever received from any department head in my twenty years in Harrisburg. I asked Mr. Irvin, "Why do you not have enough money to carry you through your budget period?" Here is his answer:

"The amount of money that was appropriated by the General Assembly was not enough to do the work as planned by Mr. Brown." I want Senator Chapman to listen to this. "This matter was taken up by the Budget Controller and the Governor's Office and the heads of the Appropriation Committee, and we were assured that there would be an additional appropriation added before the adjournment of the 1951 Session.

"On receipt of this promise, the Secretary of Welfare hired more employees, most of them as field workers to investigate and inspect welfare agencies and old peoples' homes throughout the Commonwealth."

Mr. President, I have never known by what authority the budget controllers, or the Governor's Office, or the heads of the appropriation committees, could assure any department head to go ahead and spend, knowing that their appropriation would not last for the budget period.

Mr. President, I am of the opinion that this is a case for the Attorney General to prosecute, as it is a deliberate act of misfeasance in office. I charge Mr. Brown of deliberately spending, with the knowledge that his Department could not operate for the last two months of the biennium due to his willful spending of money that he did not have. Is Mr. Brown so ignorant of laws of the Commonwealth that he takes in his own hands, without any regard of any intent of the General Assembly, to deliberately cause a deficiency in his Department and now place the blame, not having ample money to pay his own employees, on the members of the General Assembly, and, above all, to place this onus on the members of the Minority Party?

Mr. President, does Mr. Brown admit that the Republican Party is so full of factionalism and cheap politics that they cannot function as a Majority Party? Are the Grundys and the Duffs and the Fines so busy sinking daggers in each others' backs that they cannot stop to think or plan for the good of the people of Pennsylvania? Will Mr. Brown name the revenue raisers that the Democrats have refused to vote for?

Mr. MAHANY. Mr. President—

The PRESIDING OFFICER. For what purpose does the Majority Leader wish to be recognized?

Mr. MAHANY. Mr. President, that resolution is the oddest one that I have ever heard since I have been in the Legislature. I wonder if the Senator from Allegheny, Senator Holland, might submit that resolution to the Chair for a side bar conference, in order that the Chair and we may decide whether or not it is an original resolution under the present Order of Business.

Mr. HOLLAND. Mr. President this is a statement as to why the resolution must be presented. The resolution is coming next.

The PRESIDING OFFICER. Would the gentleman mind repeating that, please? The Chair recalls asking the gentleman if he was about to present a resolution.

Mr. HOLLAND. Mr. President, I am about to present a resolution, just as soon as I finish my statement.

The PRESIDING OFFICER. Does the Chair understand that this is a short preamble to the resolution?

Mr. HOLLAND. Absolutely, Mr. President.

Yes, Mr. President, we are against the sales tax, and if Mr. Brown had any sympathies for the poor people that he is now crying about, he would be against it, too. A sales tax is aimed against the large families in Pennsylvania. It is not a 2% or a 1% tax. In the district which I represent, there are many families with seven children. A sales tax of 2%, which would soon be, would mean that for every purchase that is made of clothing for these children, these families will pay 2% more than they pay today, with the inevitable result that this family of seven would be required to pay a tax six times greater than the single or unmarried individual, a complete contradiction of the ordinarily accepted understanding of taxation based on ability to pay.

Mr. President, what does Mr. Brown, of the Union League of Philadelphia, know or care about the working people of Pennsylvania? I am sure that in all his discussions with his fellow members of the Philadelphia Union League, underprivileged and the low-income groups do not come in for much discussion.

Mr. President, I could go on indefinitely attacking the statement of one who tries to cover up his own deficiency in honesty and business ability and running his Department in a slipshod manner, but I think I can sum it up as any American would sum it up: "Mr. Brown, you are a deliberate liar."

Since the Majority Party of the Senate feels Mr. Brown is of sane mind, Mr. President, I rise in place and present to the Chair the following resolution, on behalf of the eighteen Members of the Democratic Minority, and ask for its immediate consideration.

SENATE CONCURRENT RESOLUTION

DIRECTING ATTORNEY GENERAL TO INSTIGATE CRIMINAL PROCEEDINGS AGAINST WILLIAM C. BROWN, SECRETARY OF WELFARE

Messrs. HOLLAND, DENT, BANE, BARR, CAMIEL, DiSILVESTRO, HALUSKA, LANE, LEADER, McCREESH, McGINNIS, McMENAMIN, RUTH, SILVERT, STIEFEL, TOOLE, WEINER and YOSKO offered the following resolution which was twice read as follows:

In the Senate, May 12, 1953.

Whereas, The Secretary of the Welfare Department, William C. Brown, has admitted in a statement to the press, and in public speeches, that he has knowingly and deliberately spent, and contracted to spend, monies not appropriated by the General Assembly, and

Whereas, By his action he has caused the employes of the Welfare Department to go unpaid for services rendered, and

Whereas, Such conduct on the part of the Secretary of Welfare constitutes misfeasance in office.

Therefore Be It Resolved (if the House of Representatives concur), That the Attorney General of Pennsylvania is hereby directed to instigate criminal proceedings against William C. Brown, Secretary of Welfare, for misfeasance in office, and be it further

Resolved, That the Governor of the Commonwealth of Pennsylvania immediately dismiss the said William C. Brown for incompetence, dereliction of duty, and negligence in the administration of the Department of Welfare.

Mr. MAHANY. Mr. President, I object to the immediate consideration of this resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

MOTION TO SUSPEND RULE 39

Mr. HOLLAND. Mr. President, I move to suspend the rule, and have it adopted immediately.

The PRESIDING OFFICER. Will the gentleman advise the Chair as to what rule he is suspending, so that the Chair will be in a position to rule?

Mr. HOLLAND. Mr. President, Rule 39.

The PRESIDING OFFICER. Will the gentleman read the rule for the information of the Chair?

Mr. HOLLAND. "The following resolutions after they have been read, shall be referred to an appropriate committee, without debate (unless by unanimous consent the Senate shall otherwise direct)."

Mr. DENT. I second the motion, Mr. President.

The PRESIDING OFFICER. It has been moved by the gentleman from Allegheny, and seconded by the gentleman from Westmoreland, that Rule 39 be suspended.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

The PRESIDING OFFICER. The motion is lost, and the resolution is still referred to the Senate Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I cannot stand idly by and have all these statements made and then have no opportunity to answer them.

Mr. President, I think the main thing that Senator Dent was talking about was the fact that there was a charge made that there would be some political reprisals if any of the Democrats voted for this tax measure.

Mr. President, the political reprisals include more than just jobs. I do not know how many jobs are under the control of the Democrats. I understand that there are some over here who are related to some of the Democratic colleagues. I do not know how many there are, and I am not going to go into that.

Mr. President, that is not what is meant, I think, by Mr. Brown's statement that there were some political reprisals that were challenged by the Democratic leadership over there. The statement that was made, I think to which Mr. Brown referred, was the fact that if any Democrat on the floor of the House would vote for a sales tax, then, as far as the Minority Leader, Mr. Andrews, was concerned, that Democrat would no longer be welcomed to the Democratic Caucus of the House of Representatives.

Mr. President, as long as I have been a Member of this Legislature, the Republican Party has never yet issued such a challenge to any one of the Republicans. In other words, since I have been here I have been allowed to vote on each and every bill according to my convictions. At no time was there any challenge made to me, or any threat, that if I voted contrary to those convictions I would not be welcomed to the Republican Caucus.

When anyone is threatened, Mr. President, any Member of this Legislature is threatened with such a reprisal as that, I think that is definitely a political reprisal and that is the thing to which I think Secretary Brown was objecting.

If I had it within my power, Mr. President, I would like to object to it, too, because I think if the Democrats in the House of Representatives were allowed to vote according to their convictions, I believe that there would be enough Democrats over there to vote for a sales tax and there would be no question but what a sales tax would pass the House.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I do not think the gentleman has too much ground upon which to trod, so he has to be covering more than he can really walk over unless he has seven league boots.

Mr. President, the statement which the Secretary made was one in which he said, to embarrass the Republican leadership we are holding the people's elected representatives in both Houses of both parties in line by fear of political reprisals. I am sure that the Democratic leaders did not go into the Republican Caucus and threaten them. I am sure that you know and I know that if you can keep your Republican Party in line, you have sufficient votes without any help of the Democrats.

I can, however, assure you, Mr. President, that if, for any reason, some of your Republican Members of the House and Senate decide to leave the Republican Party and come over with the Democrats and give us sufficient votes, that we will not be afraid of political reprisals. We will not be afraid of anything, and we will try to give the people a very fine administration.

DEROGATORY REMARKS EXPUNGED FROM RECORD

The PRESIDING OFFICER. The Chair would like to call the attention of the gentleman from Allegheny, Senator Holland, to a statement in the short preamble to the resolution which he inroduced, in which a direct reference to the veracity of a Member of this Senate was called. This is in violation of the Rules of the Senate, and the Chair will entertain a motion to expunge the reference to a Member of this Senate from the record.

Mr. MAHANY. Mr. President, I move that this reference to a Member of the Senate, with regard to his veracity be expunged from the record.

Mr. HARE. I second the motion, Mr. President.

The PRESIDING OFFICER. It has been moved by Senator Mahany, and seconded by Senator Hare, that the reference of the gentleman from Allegheny, Senator Holland, to a Member of this Senate with regard to his veracity be expunged from the record.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I will accept that as coming from the man speaking as the head of the Republican Party, and not as a Senator.

The PRESIDING OFFICER. The Chair wishes to call to the attention of the gentleman from Allegheny that

any statement which was made by the head of the Republican Party was made off the floor of the Senate and not on the floor of the Senate.

Mr. DENT. Mr. President, I do not think that we ought to put any Member of the Senate in any light other than that in which he places himself.

Senator Holland explained to me, Mr. President, that he did not attack any Member of this Senate by name; he did not state that any Member of the Senate was part of the "great lie." All he said was, "the leader of the Republican Party." If, by inference, it is the opinion of the Chair that this is a direct attack upon the veracity of any Member of the Senate, then on behalf of the Minority I move that it be stricken from the record.

The PRESIDING OFFICER. May the Chair suggest to the gentleman from Westmoreland, with regard to the reference to the State Chairman of the Republican Party, nobody within the four walls of this Chamber has to look in the newspaper files to figure out who it is. That is why the Chair says it is a direct attack on the veracity of a Member of the Senate.

And the question recurring.

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

The PRESIDING OFFICER. The motion is carried, and the matter is expunged from the record.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, striking it from the record does not in any way alter the fact that when he said the Democrats are responsible for the lack of passing the tax program, it was not the whole truth.

The PRESIDING OFFICER. The Chair wishes to advise the gentleman that the statement was made off the floor of the Senate. All the Chair is trying to do is preserve the rules which all eighteen Members of the Minority Party, as well as the thirty-two members of the Majority Party approved when this Session started.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I just want to draw the attention of the Senate to the fact that what I say, I say to the Senate. I do not wait until the Senate goes home to say it.

REQUEST TO INTERROGATE

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman yield until we have completed "Original Resolutions?"

Mr. YOSKO. Mr. President, I have a resolution, but I want to ask a question before I present it.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. Mr. President, I was going to suggest that we adhere in the future to the regular procedure of sending the resolution to the desk, having it read by the Clerk and sending a copy to me so that I can keep track of it. This is the oddest way of presenting resolutions that I have ever heard of. It does not adhere to our regular procedure, as the Senators know.

Mr. President, I wish that we might do it in that manner, if you do not mind. In the meantme, if you want to ask me some questions I will be very glad to cooperate with you.

The PRESIDING OFFICER. Will the gentleman yield just a moment?

Mr. YOSKO. I will, Mr. President.

STUDENTS FROM GREEN HILL HIGH SCHOOL PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair at this time would like to present to the Members of the Senate a group of students from the Green Hill High School, of McConnellsburg, in Fulton County. They are the guests of Senator Hare.

Will Senator Hare's guests please rise in place and take a bow?

INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the Majority Floor Leader, Senator Mahany.

The PRESIDING OFFICER. Will the Majority Floor Leader, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Senator Mahany included in my request of last Wednesday, I had asked for a statement of the names and addresses of the accounts written off at the ten medical-surgical hospitals, accounts written off by the Department of Revenue, to determine which of them had the ability to pay. Do you have such statements available?

Mr. MAHANY. I do not, Mr. President, because after that interrogation, Senator Wade explained to the gentleman from Northampton, Senator Yosko, that he could obtain those statements himself if he requested them from the Department of Revenue. I have had considerable work to do for the past week, and I have not had an opportunity to obtain those names.

Mr. YOSKO. Mr. President, I will debate the issue a little bit later.

SENATE CONCURRENT RESOLUTION

DIRECTING STATE POLICE TO INVESTIGATE FINANCIAL SITUATION OF EVERY PERSON OWING A DEBT TO A STATE HOSPITAL

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, May 12, 1953.

The medical and surgical services available at State hospitals are intended to be given without charge only to the very needy, to those unable to pay for the medical care they must have.

It has become the practice at State Hospitals to abandon the hospital's claim whenever any patient fails to pay for the services received, with no investigation of the patient's financial situation, and without first referring the case to the Department of Justice.

During the fiscal year June 1, 1951 to June 1, 1952, the sum of one and one-half million dollars was thus written off the books of the various hospitals, as uncollectible, therefore be it

Resolved (if the House of Representatives concur) That the State Police are herby directed to investigate the

financial situation and ability to pay, of every person owing a debt to a State hospital for medical services, which were written off as uncollectible during the fiscal year June 1, 1951 to June 1, 1952, and be it further

Resolved, That the Commissioner of the State Police make a report of the investigation to the Department of Justice.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to any appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. MAHANY. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 122, as follows:

An Act to amend the third paragraph of Section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of Section 220 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the eighth day of May one thousand nine hundred forty-seven (P. L. 179) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees

[For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth] Any person serving or who has served in the armed forces of the United States during any part of any war or the armed conflict in which the United States is now engaged in Korea and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued a license as above provided without the payment of said license fee provided for the use of the Commonwealth

* * * * *

Section 2 Subsection C of Section two hundred twenty-one of said act as added temporarily by the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 46) is hereby reenacted and amended to read as follows

Section 221 Non-Resident and Alien Non-Resident Fishing License Fees Tourist Fishing License Fees for Non-Residents and Alien Non-Residents

* * * * *

C Any person serving or who has served in the armed forces of the United States during any part of [the] any war or the armed conflict in which the United States is now engaged in Korea and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued such license as provided in subsections A and B of this section without the payment of the said license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank and the hospital to which he is attached and a certificate from the person in charge of the hospital or other place in which such person is confined or to which he is attached

Section 3 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 122

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House of to Senate Bill No. 122.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Snowden,
Barr,	Hare,	McCreesh,	Stevenson,
Berger,	Harney,	McCusker,	Stiefel,
Blass,	Holland,	McGinnis,	Taylor,
Camiel,	Kephart,	McMenamin,	Toole,
Chapman,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Wagner,
Dent,	Lane,	Pechan,	Weiner,
Diehm,	Leader,	Peelor,	Wolfe,
DiSilvestro,	Letzler,	Propert,	Wood,
Fleming,	Madigan,	Ruth,	Yosko,
Freed,	Mahany,	Silvert,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 171, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 61, as follows:

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and associations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be the duty of the court of common pleas in each county of the first class to appoint a board consisting of six or more reputable citizens who shall serve without compensation to constitute a Board of Visitors whose duty it shall be to visit at least once a year all institutions societies and associations within the county into whose care and custody dependent neglected or delinquent children shall be committed under the provisions of the laws of this Commonwealth and all charitable reformatory or penal institutions and all institutions within the county which receive their inmates from more than one county and are supported or managed in whole or in part by the Commonwealth or any of the officers thereof and all institutions within the county which are wholly supported and managed by any city or county of the Commonwealth Visits shall be made monthly by not less than two of the members of the board who shall report to the board The Board of Visitors shall make reports to the court from time to time on matters pertaining to the welfare of the institutions particularly the treatment received by the inmates A copy of the report shall be submitted by the board to the persons in charge of the institutions societies and associations The board shall make an annual report to the Governor The Department of Welfare and Members of The General Assembly The Board of Visitors shall be entitled to receive from the county in which they are appointed such sum or sums of money for actual and necessary expenses as may be approved by the board of county commissioners in their county

Section 2 The court of common pleas in each county of the first class may receive nominations of persons for appointment on the Board of Visitation submitted to the court by any corporation organized under the laws of this Commonwealth for the study and improvement of the conditions of charitable reformatory or penal institutions and such nominations shall in no way interfere with the exercise of free discretion by the court in making appointments

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Wagner,
Dent,	Lane,	Pechan,	Weiner,
Diehm,	Leader,	Peelor,	Wolfe,
DiSilvestro,	Letzler,	Propert,	Wood,
Fleming,	Madigan,	Ruth,	Yosko,
Freed,	Mahany,	Silvert,	Walker,
Haluska,	Mallery,	Snowden,	Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 99, as follows:

An Act to further amend Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habeas corpus coram nobis and other writs arising out of escapes or crimes and trials therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" as last amended by the act approved the twenty-eighth day of February one thousand nine hundred thirty-three (P. L. 3) is hereby further amended to read as follows

Section 2 The cost of transporting escaped persons prisoners and convicts from the place of capture to the correctional institution penitentiary or reformatory after being sentenced for such escape or for the commission of any crime or offense following such escape and before apprehension the cost of maintenance while confined in the county jail awaiting trial as well as the costs of the trial for escape or breaking away of persons convicts and prsoners from the several penitentiaries correctional institutions and reformatories in the Commonwealth of Pennsylvania or the violation by said persons convicts and prisoners of any or all of the penal statutes relating to escape or of the trial for crime and offenses committed after such escape and before apprehension or of the trial for crimes and offenses committed on the grounds or within the buildings of the correctional institution penitentiary or reformatory as well as the costs incurred in any proceedings on writs of habeas corpus coram nobis or other petitions arising out of any escape or crime or the trials therefore or in any appeals of any such proceedings or trials shall in each instance be borne and paid by the respective counties of the Commonwealth from whose courts the said persons convicts and prisoners shall have been originally committed to the said penitentiaries correctional institutions or reformatories

The county liable for such costs as above provided shall upon bills rendered by the county paying such costs in the first instance pay to such county the amount of such costs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. DENT. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman from Westmoreland will be so recorded.

Mr. McMENAMIN. Mr. President, having voted under a

misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman from Lackawanna will be so recorded.

Mr. YOSKO. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman from Northampton will be so recorded.

Mr. SILVERT. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

Mr. McCREESH. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

Mr. RUTH. Mr. President, having voted under a misapprehension, I desire to change my vote from "no" to "aye."

The PRESIDING OFFICER. The gentleman from Berks will be so recorded.

Mr. BARR. Mr. President, I wish to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman from Allegheny will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Kephart,	McMenamin,	Taylor,
Berger,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Wagner,
Dent,	Letzler,	Pechan,	Watkins,
Diehm,	Madigan,	Peelor,	Watson,
Fleming,	Mahany,	Propert,	Wolfe,
Freed,	Mallery,	Ruth,	Wood,
Hare,	McCreesh,	Silvert,	Yosko,
Harney,	McCusker,	Snowden,	Walker,
		Stevenson,	Presiding Officer

NAYS—10

Bane,	Haluska,	Leader,	Stiefel,
Camiel,	Holland,	McGinnis,	Weiner,
Chapman,	Lane,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate procedeed to the third reading and consideration of Senate Bill No. 155, as follows:

An Act prohibiting the attaching of metal or other hard substance to public utility poles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is unlawful to drive a nail or tack or attach any metal or hard substance to or into any pole of a public utility pole line Any person violating the provisions of this act shall on summary conviction thereof be sentenced to pay a fine of twenty-five dollars ($25) or undergo imprisonment for ten (10) days

This act does not prohibit the public utility company using the poles from affixing its metal or other markers or from otherwise using the poles in its public service nor does it prohibit the attaching of highway reflectors to such poles

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-four

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. KEPHART. Mr. President, not hearing my name called, I wish to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Bane,	Haluska,	Mallery,	Stevenson,
Barr,	Hare,	McCreesh,	Stiefel,
Berger,	Harney,	McCusker,	Taylor,
Blass,	Holland	McMenamin,	Wagner,
Chapman,	Kessler,	McPherson, Jr.	Weiner,
Crowe,	Kopriver, Jr.	Miller,	Wolfe,
Dent,	Leader,	Peelor,	Wood,
Diehm,	Letzler,	Propert,	Yosko,
Fleming,	Madigan,	Ruth,	Walker,
Freed,	Mahany,	Snowden,	Presiding Officer

NAYS—6

Camiel,	Lane,	Silvert,	Wade,
Kephart,	McGinnis,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 190, as follows:

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E Kent Kane all right title and interest of the Commonwealth to certain land in Sergeant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission successor to the Board of Fish Commissioners and the Secretary of Forests and Waters is hereby authorized and directed to release and quitclaim to E Kent Kane his heirs and assigns all the right title and interest of the Commonwealth in and to all those two certain tracts of land together with the timber growing thereon bounded and described as follows

The first of them being the whole of warrant 2496 Sergeant Township McKean County Pennsylvania as conveyed to G C Burch Trustee by E Kent Kane and wife dated December 31 1941 containing eleven hundred seventy-five (1175) acres be the same more or less and

The second of them being all of the premises of said E Kent Kane in warrant 2793 Sergeant Township McKean County Pennsylvania as conveyed to G C Burch Trustee by E Kent Kane and wife by deed dated January 8 1942

Being all of the lands which were granted and conveyed to the Commonwealth of Pennsylvania Board of Fish

Commissioners and its successors by G C Burch Trustee by deed dated the twenty-sixth day of June one thousand nine hundred forty-two and recorded in the office for the recording of deeds in McKean County in Deed Book No 266 at page 92 subject to five definite conditions set forth in said deed the violation of which or the failure to perform which whether by reason of inability neglect or refusal would cause the entire premises conveyed together with all trees and timber thereon to revert to and become the property of E Kent Kane and his heirs

The General Assembly finds as a fact that the conditions contained in the deed to the Commonwealth have not been adhered to and that a forfeiture has in fact taken place causing the described properties to revert to and become the property of E Kent Kane and his heirs

Section 2 The deed of conveyance herein authorized shall be made without consideration and shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania Pennsylvania Fish Commission successor to Board of Fish Commissioners

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Weiner,
Crowe,	Lane,	Peelor,	Wolfe,
Dent,	Leader,	Propert,	Wood,
Diehm,	Letzler,	Ruth,	Yosko,
DiSilvestro,	Madigan,	Silvert,	Walker,
Fleming,	Mahany,	Snowden,	Presiding Officer
Freed,	Mallery,	Stevenson,	
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 260, as follows:

An Act to amend section 1 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against will and the precedure in reference thereto" by changing the provisions which permit minors in military service and mariners to dispose of their property by will

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" is hereby amended to read as follows

Section 1 Who May Make a Will

(a) Persons Twenty-one or Older Any person of sound mind twenty-one years of age or older may by will dispose of all his real and personal estate subject to payment of debts and charges

(b) Persons in Military Service and Mariners [During any war in which the United States is engaged a] Any person of sound mind eighteen years of age or older and being in the Armed Forces of the United States in active service at home or abroad or being a mariner on land or at sea may by will dispose of all his real and personal estate subject to payment of debts and charges and may thereafter revoke such will whether or not the United States is engaged in war and whether or not he is still in such service or is a mariner

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 276, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the incorporators or the corporation to advertise filing of articles of incorporation before or after the date of filing eliminating requirement of filing proofs of such advertisement and prohibiting transaction of business before such advertisement subject to penalties changing

procedure for increasing indebtedness and validating increases heretofore so authorized providing separate elections for vacancies in offices of different classes of directors authorizing directors to fix place of meeting of shareholders pursuant to authority of by-laws changing provisions relative to cumulative voting in elections of directors further providing for notice to shareholders of meetings to consider proposed amendments eliminating requirement of filing certificates evidencing certain payments in certain cases of merger or consolidation and making Commonwealth claims in such cases a lien on the franchises and all property of the surviving or new corporation and authorizing the Secretary of the Commonwealth to receive process issued by a federal court against any foreign business corporation doing business in this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 205 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 205 Advertisement The incorporators shall advertise their intention to file or the corporation shall advertise the filing of articles of incorporation with the Department of State one time in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements [shall] may appear [at least three days] prior to or after the day the articles of incorporation are filed with the Department of State and shall set forth briefly

(1) The name of the proposed corporation

(2) A statement that the proposed corporation is to be organized under the provisions of this act

(3) The purpose or purposes of the proposed corporation

(4) The time when the articles will be filed with the Department of State

Section 2 Subsection A of Section 206 of said act as last amended by the act approved the twenty-sixth day o fSeptember one thousand nine hundred fifty-one (P. L. 1475) is hereby further amended to read as follows

Section 206 Filing of Articles Certificate of Incorporation A The incorporators shall deliver or cause to be delivered to the Department of State the articles of incorporation [and proof of the advertisement required by the preceding section] If the Department of State finds that the articles conform to law it shall forthwith [but not prior to the day specified in the advertisement required by the preceding section] endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall issue to the incorporators or their representative a certificate of incorporation to which shall be attached the approved articles and shall make and retain a copy thereof The articles upon being approved by the Department of State shall constitute the charter of the corporation

Section 3 Subsection B of Section 208 and Section 309 of said act are herby amended to read as follows

Section 208 Conditions Precedent to Beginning Business Penalty for Violation of Section

* * * * *

B If a corporation shall transact any business in violation of this section or prior to the publication of the advertisement required by Section 205 hereof the officers who participated therein and the directors except those who dissented therefrom and caused their dissent to be filed at the time in the registered office of the corporation or who being absent filed their dissent upon learning of the action shall be severally liable for the debts and liabilities of the corporation arising therefrom

Section 309 Procedure to Increase Indebtedness of Corporation No business corporation shall increase its indebtedness except in the manner provided in this section The board of directors of the corporation shall adopt a resolution setting forth the desired increase and directing that the question of the proposed increase be submitted to a vote of the shareholders entitled under the articles to vote thereon at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon Written notice stating that the purpose or one of the purposes of such meeting is to consider the question of increasing the indebtedness of the corporation shall be given to each shareholder of record entitled to vote thereon at least sixty days before the date of the meeting If such meeting be an annual meeting such purpose may be included in a notice of such annual meeting provided the notice is given at least sixty days before the date of the annual meeting The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon unless any class of shares is entitled to vote thereon as a class in which event the proposed resolution shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote as a class thereon and at least the affirmative vote of the holders of a majority of all outstanding shares entitled to vote thereon Nothing herein contained shall be construed to apply to indebtedness contracted in the usual course of corporate business

Increases heretofore so authorized are hereby validated

Section 4 Section 403 of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 403 Classification of Directors If the articles or by-laws of a business corporation so provide the directors of the corporation may be classified in respect to the time for which they shall severally hold office except that the first directors shall serve only until the first annual meeting In such case each class shall be as nearly in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than four years If at any meeting of shareholders due to a vacancy or vacancies or otherwise directors of more than one such class are to be elected each class of directors to be elected at the meeting shall be elected in a separate election

Sction 5 Subsection A of Section 501 of said act is hereby amended to read as follows

Section 501 Meetings of Shareholders A Meetings of shareholders may be held at such place within or without this Commonwealth as may be provided in the by-laws or as may be fixed by the board of directors pursuant to authority granted by the by-laws Unless the by-laws provide otherwise all meetings of the shareholders shall be held in this Commonwealth at the registered office of the corporation

Section 6 Section 505 of said act as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1475) is hereby further amended to read as follows

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the total number of directors [of all classes] to be elected in the same election by either the holders of the class or classes of shares of which his shares are a part or by the holders of any other class or classes of shares and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes from each class or group of classes entitled to elect directors separately up to the number of directors to be elected in the same election by such class or group of classes shall be elected

Section 7 Section 803 of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 803 Notice of Shareholders' Meetings Written notice shall not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments be given to each shareholder of record entitled under the articles to vote thereon except that such notice shall be given sixty days before meetings called to consider proposals sixty days' notice of which is required by section eight E of this act Such notice shall set forth the proposed amendment or a summary of the changes to be effected thereby

Section 8 Section 905 of said act as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1475) is hereby further amended to read as follows

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificates shall be required [of] if the surviving [corporation in cases of merger] or new corporation is to be a domestic corporation or shall on the effective day of the merger or consolidation be a foreign business corporation authorized under Article X of this act to do business in this Commonwealth If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached the approved articles and shall make and retain a copy thereof

Section 9 Section 907 of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 907 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single corporation which in the case of a merger shall be that corporation designated in the plan of merger as the surviving corporation and in the case of a consolidation shall be the new corporation provided for in the plan of consolidation The separate existence of all corporations parties to the plan of merger or consolidation shall cease except that of the surviving corporation in the case of a merger The surviving or new corporation as the case may be if it be a domestic corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new corporation as the case may be without further act or deed The surviving or new corporation shall thenceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new corporation may be proceeded against or substituted in its place Any taxes bonus penalties and public accounts of the Commonwealth claimed against any of the merging or consolidating corporations but not settled assessed or determined prior to such merger or consolidation shall be settled assessed or determined against the surviving or new corporation and together with interest thereon shall be a lien against the franchises and property both real and personal of the surviving or new corporation In the case of a merger the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new corporation to be a domestic corporation which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act shall be deemed to be the articles of incorporation of the new corporation The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise shall continue to be available for the payment of dividends by such surviving or new corporation

Section 10 Section 1011 of said act as last amended by the act approved the twenty-sixth day of September one thousand nine hundred fifty-one (P. L. 1475) is hereby further amended to read as follows

Section 1011 Service of Process Upon the Secretary of the Commonwealth A Service of process against a qualified foreign business corporation upon the Secretary of the Commonwealth shall be made by the sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay to the Secretary of the Commonwealth for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitat-

ing the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority of such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth Where process is issued against any such foreign business corporation by any court of the United States empowered to issue such process under the laws of the United States the Secretary of the Commonwealth is authorized to receive such process in the same manner as herein provided for process issued by courts of this Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

B Any foreign business corporation which shall have done any business in this Commonwealth without procuring a certificate of authority to do so from the Department of State shall be conclusively presumed to have designated the Secretary of the Commonwealth as its true and lawful attorney authorized to accept on its behalf service of process in any action arising out of acts or omissions of such corporation within this Commonwealth On petition alleging conduct of business within the Commonwealth by any corporation not qualified by the Secretary of the Commonwealth or having otherwise designated him as agent for the service of process the court of the county in which the action is instituted shall authorize service to be made upon the Secretary of the Commonwealth Service shall be made by the sheriff of such county by transmitting to the Secretary of the Commonwealth and to the defendant at his last known residence or place of business by registered mail return receipt requested a copy of such process together with a copy of the petition and order of the court properly certified as such by the prothonotary The return receipt by the post office department shall be evidence of service under this act Where process is issued against any such foreign business corporation by any court of the United States empowered to issue such process under the laws of the United States the Secretary of the Commonwealth is authorized to receive such process in the same manner as herein provided for process issued by courts of this Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

C For the purposes of this act the entry of any corporation into this Commonwealth for the doing of a series of similar acts for the purpose of thereby realizing pecuniary benefit or otherwise accomplishing an object or doing a single act in this Commonwealth for such purpose with the intention of thereby initiating a series of such acts shall constitute "doing business"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Weiner,
Crowe,	Lane,	Peelor,	Wolfe.
Dent,	Leader,	Propert,	Wood,
Diehm,	Letzler,	Ruth,	Yosko,
DiSilvestro,	Madigan,	Silvert,	Walker,
Fleming,	Mahany,	Snowden,	Presiding Officer
Freed,	Mallery,	Stevenson,	
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 312, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled An act providing for the regulation of mining of anthratice coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" is hereby amended to read as follows

Section 12 In any case where a strip mining operation after completion shall leave anthracite exposed the operator shall be required on written order of the department to cover the exposed surface of the anthracite to a depth of five (5) feet in order to prevent the spread of fire to the unmined anthracite Nothing contained in this act shall be construed to mean that the covering material required by this section or material deposited in the stripping pit whether five (5) feet or more in depth shall be leveled or planted with trees grasses or shrubs as provided in section fourteen of this act

Section 2 Section fourteen of the said act is hereby amended to read as follows

Section 14 In all cases in which the Secretary of [Forests and Waters] Mines shall find as a fact that the planting of such areas is reasonable practicable and likely to succeed the peaks and ridges of such spoil banks shall be leveled and rounded off to such an extent as will permit the planting of trees grasses or shrubs Within one (1) year after the strip mining operation on the premises is terminated the operator shall plant trees shrubs or grasses upon the surface of the spoil banks and the surface of backfills Any operator however may at his option pay to the Department of Forests and Waters the sum of sixty

dollars ($60.00) per acre for each acre of such surface of spoil banks and backfillings and thereby shall be released from any duty to plant as herein provided The moneys so paid from time to time shall be placed in a special fund in the hands of the Treasury Department of the Commonwealth and shall be used by the Department of Forests and Waters to pay the cost of planting such trees grasses or shrubs and the supervision of such work and all other expenses necessary for or connected with such planting and are hereby appropriated to the Department of Forests and Waters for such purposes Any moneys remaining unused after such planting may be used for planting any other lands affected by strip mining of anthracite coal All planting required by this act to be done by the operator shall be done subject to the supervision and approval of the Secretary of [Forests and Waters and upon such approval the secretary shall certify such performance to the Department of Mines] Mines If upon inspection the Secretary of [Forests and Waters] Mines does not approve the planting he shall notify the operator in writing setting forth the objections and after a hearing shall order the planting to be completed in accordance with his final decision by either the operator or by the Department of Forests and Waters

Section 3 Section sixteen of the said act is hereby amended to read as follows

Section 16 If and when the Secretary of Mines shall find that the operator has completed the backfilling and other acts as required by this act [and shall receive the certificate of the Secretary of Forests and Waters that planting has been done or the payment has been made if and as required by section 14 of this act] he shall issue a release of the bond or of the cash and securities deposited Upon the presentation of such release the State Treasurer shall immediately return to the operator the amount of cash or securities specified in its release

Section 4 Section nineteen of the said act is hereby amended to read as follows

Section 19 The right of the operator or of any other person whose property may be adversely affected to a hearing before the making of any final order or adjudication by the Secretary of Mines [or by the Secretary of Forests and Waters] and to appeal therefrom shall exist in acocrdance with the procedure prescribed in the Administrative Agency Law of June 4 1945 (P. L. 1388) and the Rules of Civil Procedure promulgated by the Supreme Court of this Commonwealth Such rights to a hearing and to appeal shall also be enjoyed by the duly authorized officials of the political subdivision or subdivisions in which the authorized operation is located

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 352, as follows:

An Act to further amend Section 1 of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" by increasing the amounts of payments from the Commonwealth to counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1900) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act all lands heretofore or hereafter acquired by the Commonwealth or by the Government of the United States for forest reserves or for the purpose of preserving and perpetuating any portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and which by existing laws are now exempt from taxation and all lands and property heretofore or hereafter acquired for the purpose of conservation of water or to prevent flood conditions upon which a tax is imposed by existing laws payable by the Commonwealth shall hereafter be subject to an annual charge of [two and one-half] six cents per acre for the benefit of the county in which said lands are located two and one-half cents per acre for the benefit of the schools in the respective school districts in which such lands are located and two and one-half cents per acre for the benefit of the roads in the township where such lands are located which charge shall be payable by the Commonwealth The annual charge payable by the Commonwealth on land acquired by the Government of the United States for forest reserves is to continue only until the receipts of money by treasurers and road supervisors of the said counties and school districts and townships in which national forest reserves are located provided for in act of April twenty-seventh one thousand nine hundred twenty-five (P. L. 324) shall equal or exceed the amount paid by the Commonwealth in lieu of taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Weiner,
Crowe,	Lane,	Peelor,	Wolfe,
Dent,	Leader,	Propert,	Wood,
Diehm,	Letzler,	Ruth,	Yosko,
DiSilvestro,	Madigan,	Silvert,	Walker,
Fleming,	Mahany,	Snowden,	Presiding Officer
Freed,	Mallery,	Stevenson,	
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 383, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses XXIV and LI of section 1502 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * * *

XXIV Markets Market Houses and Peddling To regulate markets and peddling whether for individual use or for resale to provide and enforce regulations for markets and market houses whether for individual use or for sale or resale and to acquire and own ground for and to erect establish and maintain market houses and market places for which latter purposes parts of any streets highways or sidewalks may be temporarily used as specified by the township commissioners to contract with any person firm or corporation for the erection maintenance and regulation of market houses and market places on such terms and conditions and in such manner as the board of commissioners may prescribe to provide for the payment of the cost and expense of providing markets and market houses either in whole or in part from township funds and to levy and collect a license tax from every person who may be authorized to occupy any portion of said market houses or places

* * * * *

LI Purchase and Planting of Trees To accept purchase and plant or contribute to the purchase and planting of shade trees and shrubs along the streets highways and sidewalks of the township and to expend township moneys for such purpose

Section 2 Section 1502 of said act is hereby amended by adding at the end thereof a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * * *

LVII Street Sewer Sidewalk Etc Regulations To regulate the streets sewers public squares common grounds sidewalks curbs gutters culverts and drains and the heights grades widths slopes and construction thereof and to grant rights therein for the installation of public utilities in said streets

Section 3 Sections 1901 1907 1908 1909 1910 1914 1916 1917 the title of Article XX the title of Subarticle (a) of Article XX section 2001 the title of Subarticle (b) of Article XX sections 2005 2008 2011 2035 2040 the title of Subarticle (h) of Article XX sections 2050 2052 the title of Subarticle (i) of Article XX sections 2060 2065 2067 the title of Subarticle (1) of Article XX sections 2078 2080 2081 2088 the title of Subarticle (g) of Article XXI sections 2130 2411 the title of Subarticle (d) of Article XXIV sections 3023 3061 3065 subsections (a) (b) and (h) of section 3066 and section 3202 of said act as last reenacted and amended or added by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 1901 Exercise of Eminent Domain In the laying out opening widening extending vacating grading or changing the grades or lines of streets or highways the construction of bridges and the piers and abutments therefor the construction of slopes embankments and sewers including storm water drains the erection and extension of waterworks wharves and docks public buildings public works lands and places for the disposal of ashes and other refuse materials garbage treatment works and libraries the establishing of parks playgrounds and recreation places the changing of watercourses and for all other purposes authorized by this act a township of the first class may enter upon appropriate injure or destroy private lands property and material

Section 1907 Right to Damages The right to damages against townships is given to all owners or tenants of lands property or material abutting on or through which pass streets or highways injured by the laying out opening widening vacating extending or grading of such streets or the changing of the grades or lines thereof by such townships the construction and the vacation by such townships of bridges and piers abutments and approaches therefor and the construction by such townships of sewers over upon or through such lands or property and in all other cases where the power of eminent domain is exercised by a township and property is taken injured or destroyed

Section 1908 Viewers' Report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work street or highway or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file their report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 1909 Plans of Properties Condemned to Be Furnished to Viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the township taking injuring or destroying land or property for said purpose shall furnish the jury of view with a correct plan of all land or properties affected showing all bulidings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all streets or highways running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land or property

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge

Section 1910 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of township street highway or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (herein designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

Section 1914 Competency of Evidence as to Market Value of Land or Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the element of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street or highway to take into consideration as one of the elements of advantage or disadvantage the cost of street improvement

In all claims for damages against a township arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of the land or property affected as assessed for the purpose of taxation

Section 1916 Appeals in Eminent Domain Proceedings Payment of Money Into Court In all cases of damages assessed against any township for land or property taken injured or destroyed by the construction or enlargement of their works streets highways or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court and an appeal is not provided for an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of the party appellant or of the agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for the township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 1917 Title Acquired In all cases where land or property is acquired in eminent domain proceedings other than for street or highway purposes or is acquired by gift purchase or otherwise the title obtained by the township shall be in fee simple Provided That in particular instances a different title may by agreement be acquired

Article XX

Street and Highways

(a) Plans of Streets and Highways

Section 2001 Every township shall have a general plan of its streets and highways including those which have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township and all subdivisions of property thereafter made shall conform thereto No streets or parts thereof laid out or accepted and confirmed on such plan shall afterwards be altered without the consent of the commissioners of the township No plan or plot of streets shall be entered in any public office of the county until approved by the board of township commissioners No person shall be entitled to recover any damages for any improvement placed or constructed within the lines of any street or highway after the same has been located or ordained on the plan provided for by this section

(b) Laying Out Opening Widening Straightening Vacating and Relaying Streets Highways Et Cetera Repairs and Detours

Section 2005 Power to Lay Out Open Widen Vacate Et Cetera The board of township commissioners may enact ordain survey lay out open widen straighten vacate and relay all streets and parts thereof which are wholly within the township upon the petition of a majority in interest of the owners of property or properties through whose land such street passes or upon whose land it abuts or without petition of the owners of abutting property if in the judgment of the board of commissioners it is necessary for the public convenience and the authority to open widen and straighten highways with the approval of the Secretary of Highways Such power shall include authority to vacate in whole or in part streets laid out by the Commonwealth where the same have remained unopened for a period of thirty years and also the authority to lay out and open a street which will be a continuation or extension of a street already opened by an adjacent city borough or township

Section 2008 Draft Report After such hearing and a consideration of the matter should the board of commissioners or a majority thereof decide in favor of exercising the power so conferred they shall make written report together with a draft or survey of the street or highway fixing the width thereof and noting the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter session

Section 2011 Notices to Be Posted Along Improvement After the passage or approval of any ordinance by the board of commissioners for the opening widening straightening extending or vacating any street or highway notice shall within ten days thereafter be given by handbills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

Section 2035 Any township may acquire by purchase or by the right of eminent domain such property and lands situate along or adjacent to any township street or highway as in the opinion of the commissioners of such township may be necessary to eliminate dangerous curves and widen narrow streets or highways for the better protection and safety to the traveling public

Upon any such purchase or condemnation the township commissioners may from time to time abate or remove or cause to be abated or removed any such dangerous curve or curves or widen such narrow street or highway to the extent of the property and land so acquired

The proceedings for the condemnation of such property and lands under the provisions of this section and for the assessment of damages for property or land taken injured or destroyed shall be taken in the same manner as is provided by this act for the condemnation of lands by townships

Section 2040 Any township may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two streets or highways or a street or highway and a railroad or railway or at any curve in any street or highway as may be necessary to assure a free and unobstructed view in all directions at such

crossings and to so prevent the use of such lands for any purpose or in any manner upon any such street or highway

Upon any such condemnation the township commissioners having which may interfere with or obstruct the vision of persons traveling had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

The proceedings for the condemnation of such view over and across such lands and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is provided in this act for the condemnation of land by townships

Upon the condemnation of a view the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crossing or curve and unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

(h) Grading Draining Curbing Paving Macadamizing Streets or Highways on Petition and Assessment of Benefits by Viewers

Section 2050 Proceedings on Petition Upon the petition of a majority of property owners in interest or number abutting on the line of any proposed improvement to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person a township may grade curb pave or macadamize or otherwise improve any street or highway or part thereof or which may be in whole or in part boundaries thereof and provide for the necessary drainage thereof and may also provide for the improvement of any street or highway and any sections or parts thereof in length in the space between the curb gutter or actual carriage-way line and the property line either by an original work or improvement thereon or by a change repair renewal or alteration in the said street or highway curb parking spaces or shade trees or by changing [alterating] altering renewing replanting pruning or otherwise improving the same in any or all of said particulars The majority in interest or number required for such petitions shall be fixed as of the date of such petition

Section 2052 Notice After the passage of any ordinance for the grading curbing paving or macadamizing or otherwise improving any street or highway notice shall be given within ten days thereafter by handbills posted in conspicuous places along the line of the proposed improvement

(i) Grading Draining Curbing Paving or Macadamizing Streets or Highways and Collection of Cost by Foot Front Rule

Section 2060 Proceedings With or Without Petition Townships with petition or without petition may grade curb gutter pave macadamize or otherwise improve streets or highways or parts thereof or a particular width or additional widths thereof with or without the assistance or contribution of the State county or a corporation occupying the thoroughfare and may assess and collect the whole cost thereof or the whole cost not thus aided or contributed or any part thereof from the owners of real estate abutting on the improvement by an equal assessment on the foot front including the expense of the necessary drainage The board of commisisoners may make equitable adjustments for corner lots or lots of irregular shape where an assessment for full frontage would be unjust Property not otherwise assessable shall become assessable by the petition of the owner or the owner's representative In all cases where the whole width of the street is being paved without State or county aid and more than two-thirds of the total cost is proposed to be assessed on abutters the township shall for this purpose be considered as owner of non-assessable property of street intersection and of the deducted frontage on equitable adjustments On petition of owners representing two-thirds of the number of feet of assessable properties abutting on the proposed improvement the total cost of the improvement or a lesser amount if the township desires may be assessed on the assessable properties abutting without any deduction for non-assessable property or street intersection or for the equitable adjustments aforesaid Provided That the petition states that the total cost may be assessed on the abbutters

Section 2065 Power to Enter Lands When material cannot be conveniently obtained by contract at reasonable prices the commissioners of townships may enter upon any land or enclosure within their township lying near the street or highway and dig gather and carry upon the street or highway any stones sand or gravel which they think necessary to make maintain or repair the street or highway In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any branches of fences which they make

Section 2067 Ditches Drains and Watercourses Approval of Plans No person shall stop fill up confine pave or otherwise interfere with any drain ditch watercourse or drainage facilities in a township without first submitting suitable plans thereof to the township commissioners for their approval Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the commissioners and shall show the exact nature of the work to be performed Before acting upon any such plan the commissioners may in their discretion arrange for a public hearing after giving such notice as they may deem desirable in each case The commissioners are authorized to alter such plans and to specify any changes or modifications of any kind which they in their discretion may deem necessary with respect thereto and may make their approval of such plans subject to any alterations changes or modifications Any plans when so approved shall be signed on behalf of the township by such officer as the commissioners may designate and shall be filed in the township offices where the same shall be available for public inspection No drain ditch watercourse or drainage facilities shall be constructed altered stopped filled up confined paved or otherwise interfered with except in strict accordance with plans so approved by the commissioners or with further plans subsequently approved by them in the same manner No township shall have any responsibility with respect to conditions arising as a result of the failure on the part of any person to comply with the requirements of this act

The township commissioners may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as in their judgment are necessary to carry the water from the streets or highways

Any person who shall stop fill up or confine pave or otherwise interfere with any such drain or ditch watercourse or drainage facilities or shall divert or change the course thereof without the approval of the commissioners as herein provided shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars for each offense and in default of the payment of such fine and costs shall be sentenced to imprisonment of not more than ten days

Nothing contained in this section shall be held to restrict or limit the State Department of Highways or any county in the exercise of any of its powers and duties under the provisions of any law of this Commonwealth nor to obviate the necessity of securing the consent of the Water and Power Resources Board where required by existing law

(k) Trees Shrubbery and Obstructions within Limits of Streets or Highways

Section 2070 In order to provide for easy and convenient traveling upon the public streets or highways the township commissioners may cut alter or remove any trees shrubbery underbrush refuse or obstruction within the legal width of any public street or highway or any part thereof All logs cordwood or other forms of wood derived from the destruction or removal of any trees growing

along such streets or highways shall become the property of the abutting owners provided that such abutting owners shall within ten days after notice from the township remove such logs cordwood or other forms of wood from the legal width of the street or highway In the event of their failure to do so they shall forfeit all interest therein and the same may be disposed of as the township commissioners deem proper

(l) Protection of Streets or Highways from Snowdrifts

Section 2078 Whenever any streets or highways in townships are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassable and in the judgment of the commissioners such drifts of snow can be avoided by the removal of any fence erected along either side of such street or highway and replacing the same by a fence constructed of posts wire and boards or rail combined such commissioners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and board or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

Any township which is responsible for the maintenance of any street shall have authority to enter upon private property adjacent to such street and place thereon a snow fence at any point as may be deemed necessary to within a limit of one hundred (100) feet from the right of way line of such street in order to eliminate snow drifting on the traveled portion of the street

No such snow fence authorized shall be placed prior to November first nor shall the same remain in place after April first of the succeeding year unless the written consent of the owner of the adjacent property is obtained agreeing to an extension of time for the removal of said snow fence

If the township shall not be able to enter into an agreement with the owner of the adjacent property occupied by such snow fence as to the amount of damages sustained as a result of said fence being placed and removed the owner may petition the court of common pleas of the county for the appointment of viewers to ascertain the amount of damage incurred in such case in the manner provided in this act for eminent domain proceedings Such damages if any when ascertained shall be paid by the township Any funds available for the construction and maintenance of streets shall be available for the payment of such damages

Section 2080 Duty to Erect The commissioners of the township shall erect posts at the intersection of all streets or highways and at one of the angles where any street or highway crosses another street or highway and shall firmly fix thereon boards or metal signs with index hands pointing to the direction of such street or highway but if a tree trolley pole telephone pole telegraph pole or building is so erected that it can be used in place of a post and permission has been secured from the owner thereof such tree pole or building may be used in place of a post On such boards and signs shall be inscribed in large and legible characters the name of the town village or place to which such streets or highways lead and the distance thereto computed in miles Where any street intersects or crosses a State highway application for a permit shall be made by the commissioners to the State Department of Highways for the erecting of such signs

Section 2081 Penalty for Destroying It shall be unlawful for any person to wilfully destroy remove injure or deface any guidepost or sign or index board erected upon or near any street highway or bridge by the authorities of any township or erected with the consent of the authorities having jurisdiction over such street highway or bridge by any club association or other organized body for the direction guidance or safety of travelers Any person violating any of the provisions of this section shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than [than] ten dollars and not more than twenty-five dollars with all costs of prosecution together with the value of such sign so destroyed removed or defaced and in default of such payment shall be sentenced to imprisonment of not more than ten days Fines and moneys so collected shall be paid to the township treasurer

Section 2088 If any person working upon any street in any township or if any one in company with such person shall ask money or reward or by any means whatever shall extort or endeavor to extort any money intoxicating drink or other thing from any person traveling upon or near such street the person so offending shall for every such offense forfeit and pay a sum not exceeding five dollars

If any township commissioner shall connive with any person so asking demanding or contriving to extort money intoxicating drink or any other thing from any person traveling as aforesaid such commissioner shall for every such offense forfeit and pay a sum not exceeding ten dollars

If any person shall stop or obstruct any street or highway in any township or shall commit any nuisance thereon by felling trees making fences turning the road or in any other way and shall not on notice given by the township commissioners forthwith remove the obstruction or nuisance and repair the damages done to such street or highway such person shall for every such offense forfeit and pay a sum not more than twenty-five dollars Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

All penalties provided for in this section shall be recovered by summary proceeding for the use of the township

(g) Grading Curbing Paving Macadamizing Boundary Street or Highway Et Cetra

Section 2130 Townships may enter into agreements with ajoining boroughs for the grading paving and curbing or macadamizing of streets or highways which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon

In grading paving and curbing or macadamizing any such street or highway townships shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitioners a majority in interest of owners of undivided interest in any piece of property to be treated as one person asking that such improvement be made

The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in this act for the assessment of damages and benefits by viewers

Section 2411 Assessment of Property Outside Limits of Townships for Sewers Whenever any sewer is located in any street or highway dividing such township from any other municipality or township located in the same county the property on the side of the street or highway outside the line of such township for a depth of one hundred fifty feet shall be assessed for sewers on such street or highway on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property within the township for such sewers

(d) Sewers and Drains in Streets or Highways or over Private Property Assessment of Cost of Construction According to Benefits

Section 3023 General Powers of Commission The commission shall have exclusive custody and control of the shade trees in the township and is authorized to plant re-

move maintain and protect shade trees on the public streets and highways in the township

Section 3061 Grant of Power For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for the coordination of existing streets and highways with proposed streets parks or other features of the township's official plan of streets and highways for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating conditions favorable to the health safety morals and general welfare of the citizens the boards of township commissioners are hereby empowered to adopt by ordinance land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 3065 Subdivisions Wherein Lots Abut Existing Improved Street or Highways of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets or highways of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township commissioners as specfied in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township commissioners and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 3066 Subdivisions Wherein Lots Abut Existing Streets or Highways of Insufficient Width or Proposed Streets

(a) Plans may be Referred to Planning Commission for Recommendations Such regulations may provide that plans of subdivisions wherein lots abut existing streets or highways of insufficient width or streets proposed to be laid out through unimproved land may if the board of township commissioners deems it advisable be referred to the planning commission of the township if any for its recommendations as to location and width of streets and similar features Such plans shall be subject to approval or rejection by the board of township commissioners In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any party aggrieved by the decision of the board of township commissioners may appeal to the court of quarter sessions of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township commissioners shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets and highways conforming to the township's official plan of streets and highways and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

* * * * *

(h) Recorded Plan Become Part of Official Plan After a subdivision plan has been duly recorded the streets highways parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

Section 3202 Maps and Plans Recommendations of Planning Commission In addition to filing an annual report it shall be the duty of the planning commission to make or cause to be made and to lay before the township commissioners maps and plans of the township or any portion thereof showing the streets highways and other natural and artificial features and also any locations recommended by it for any new public buildings civic schemes parkways parks playgrounds or any other public grounds or public improvements and any widening extension or relocation of the same and therafter from time to time the planning commission may lay before the township commissioners any modification change or supplement to any prior plan or plans The planning commission may also from time to time make recommendations to the township commissioners with respect to any and all matters and things referred to in this section and in so doing shall have regard for the present conditions and future needs and growth of the township

Any maps or plans so submitted shall not be effective unless regularly approved and adopted by ordinance or resolution of the township commissioners and after such approval and adoption shall be subject to revision and change from time to time as the township commissioners may deem expedient

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 384, as follows:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school district of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Sepreme Court and Superior Court" by further regulating the imposition of taxes under the provisions of said act the limitations thereon and the publication and filing of notices relative thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and E of Section 1 of the act

approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" as last amended by the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1640) is hereby further amended to read as follows

Section 1 A Delegation of Taxing Powers and Restrictions Thereon The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the econd class school district of the third class and school districts of the fourth class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such political subdivisions as they shall determine except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processing of minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or dumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision Provided That this limitation (5) shall apply only to school districts of the second third and fourth classes (6) to levy assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law Provided That this limitation (6) shall not apply to cities of the second class

Subject to the limitations prescribed in this act the duly constituted authorities of townships of the second class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of any one or more of the following taxes within the limits of such townships

(1) A per capita tax upon individuals not to exceed $5

(2) A tax on sales involving the transfer of title of real property

(3) A tax on admission to places of amusement athletic events and the like

(4) A tax on the use or occupancy of house trailers suitable for living quarters

No township shall levy a per capita tax for the same period for which it levies an occupation tax

Every ordinance or resolution which imposes a tax under the authority of this act shall impose such tax for one year only and shall be passed or adopted if for a school district during the period other school taxes are required by law to be levied and assessed by such district Each ordinance and resolution shall state that it is enacted under the authority of the act of June twenty-fifth one thousand nine hundred forty-seven (P. L. 1145) and its amendments

* * * * *

E Limitations on Rates of Specific Taxes No taxes levied under the provisions of this act shall be levied by any political subdivision on the following subjects exceeding the rates specified in this subsection

(a) Per capita poll or other similar head taxes $10 except [in] by townships of the second class[$5]

(b) On each dollar of the whole volume of business transacted by wholesale dealers in goods wares and merchandies 1 mill by retail dealers in goods wares and merchandise and by proprietors of restaurants or other places where food drink and refershments are served 1½ mills except in cities of the second class where rates shall not exceed 1 mill on wholesale dealers and 2 mills on retail dealers and proprietors No such tax shall be levied on the dollar volume of business transacted by wholesale and retail dealers derived from the resale of goods wares and merchandise taken by any dealer as a trade-in or as part payment for other goods wares and merchandise except to the extent that the resale price exceeds the trade-in allowance

(c) On wages salaries commissions and other earned income of individuals 1%

(d) On retail sales involving the transfer of title or possession of tangible personal property 2%

(e) On sales involving the transfer of title of real property 1%

(f) On admissions to places of amusement athletic events and the like 10%

(g) On use or occupancy of house trailers suitable for living quarters [in townships of the second class $10] $2 per month No such tax shall be levied for the first thirty days in the trailer camp or parking lot The payment of said tax shall not for rent control purpose be considered as part of the rent

If at any time two political subdivisions shall impose any one of the above taxes on the same person subject business transaction or privilege located within both such political subdivisions during the same year or part of the same year under the authority of this act then the tax levied by a political subdivision under the authority of this act shall during the time such duplication of the tax exists except as hereinafter otherwise provided be one-half of the rate as above limited and such one-half rate shall become effective by virtue of the requirements of this act from the day such duplication becomes effective without any action on the part of the political subdivision imposing the tax under the authority of this act When any one of the above taxes has been levied under the provisions of this act by one political subdivision and a subsequent levy is made either for the first time or is revived after a lapse of time by another political subdivision on the same person subject business transaction or privilege at a rate that would make the combined levies exceed the limit allowed by this subsection the tax of the second political subdivision shall not become effective until the end of the fiscal year for which the prior tax was levied unless notice indicating its intention to make such levy is given to the first taxing body by the second taxing body as follows (i) when the notice is

given to a school district it shall be given at least forty-five (45) days prior to the last day fixed by law for the levy of its schools taxes (ii) when given to any other political subdivision it shall be prior to the first day of January immediately preceding or if a last day for the adoption of the budget is fixed by law at least forty-five (45) days prior to such last day It is the intent and purpose of this provision to limit rates of taxes referred to in this subsection so that the entire burden of one tax on a person subject business transaction or privilege shall not exceed the limitations prescribed in this subsection Provided however That any two political subdivisions which impose any one of the above taxes on the same person subject business transaction or privilege during the same year or part of the same year may agree among themselves that instead of limiting their respective rates to one-half of the maximum rate herein provided they will impose respectively different rates the total of which shall not exceed the maximum rate as above permitted

Section 2 Subsection F of Section 1 and Section 2 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 898) are hereby further amended to read as follows

Section 1 * * * * *

F Filing of Certified Copies of Ordinances and Resolutions [A certified copy of each ordinance or resolution imposing a tax under the authority of this act which is adopted by a political subdivision shall be filed with the Bureau of Municipal Affairs of the Department of Internal Affairs within fifteen days after the same becomes effective] When an ordinance or a resolution is first passed or adopted by a political subdivision imposing a tax or license fee under the authority of this act an exact printed or typewritten copy thereof certified to by the secretary of the taxing body shall be filed with the Bureau of Municipal Affairs of the Department of Internal Affairs within fifteen days after the same becomes effective If such ordinance or resolution is again passed or adopted Imposing the same tax or license fee without substantial change for the year next following and thereafter from year to year the secretary of the taxing body shall file with said bureau within fifteen days after the new ordinance or resolution goes into effect the following statement

"The 19 ordinance (or resolution) which imposed a tax or license fee on has been reenacted without substantial change for the year by the (City etc) of the

Certified to by

.....

Secretary "

The filing of the tax ordinance and of the statement as to the reenactment of a tax ordinance as herein required shall be made by registered mail with return receipt requested

Any secretary or person acting as the clerk or secretary of the taxing body of any political subdivision during the meeting at which an ordinance or resolution imposing a tax or license fee is passed or adopted as herein provided who shall fail to file the certified copy or statement relative thereto with the Bureau of Municipal Affairs as herein required shall upon summary conviction thereof in the county in which the political subdivision is located be sentenced to pay a fine of not less than five dollars ($5) nor more than twenty-five dollars ($25) and the costs of prosecution

Section 2 Advertisement of Intention to Adopt Tax Ordinance or Resolution Prior to the passage of any ordinance or the adoption of any resolution imposing a tax or license fee under the authority hereunder granted such political subdivision shall give notice of the intention to pass such ordinance or adopt such resolution Such notice shall be given in addition to all other notices required by law to be given and shall set forth the substantial nature of the tax or license fee to be imposed by the proposed ordinance or resolution the reason which in the judgment of the officials of the subdivision necessitates the imposition of the tax and the amount of revenue estimated to be derived from the tax Publication of such notice shall be made by advertisement once a week for three weeks in a newspaper of general circulation within such political subdivision if there is such newspaper and if there is not then such publication shall be made in a newspaper of general circulation within the county in which the advertising political subdivision is located

When any such ordinance or resolution is continued by being again passed or adopted imposing the same tax or license fee without substantial change for the year next following or thereafter from year to year the provisions of the ordinance need not be advertised as in other cases but only a short notice shall be advertised stating that the ordinance of the preceding year which imposed a tax of (giving the rate and naming the subjects) has been reenacted without substantial change and the same tax imposed for the year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Orderd, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 517, Printer's No. 186, on third rading, go over in its order.

The PRESIDING OFFICER: Is there objection? The Chair hears none.

BILLS ON THIRD READING AND

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 535, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (Pamphlet Laws 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property pro-

viding for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 207 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of procees and notices imposing duties on taxing districts and their officers and on tax collectors and certan expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as last amended by the act approved the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2098) is hereby further amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for th actual costs and expenses of operating the bureau created by this act [for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective] the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof [and thereafter shall receive and retain two per centum (2%) thereof] which percentage shall be deducted by the bureau before paying over moneys to the respective taxing districts entitled thereto and shall be paid into the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 2 Subsection (d) of section 307 of the act is herby amended to read as follows

* * * * *

Section 307 Filing Claims Testing Validity of Old Claims Joinder of Claims of Taxing Districts

(d) Not later than the thirtieth day of June each year or for the first year in which any county operates under the provisions of this act not later than the thirtieth day of September the bureau shall make up from the tax returns received from the taxing districts as aforesaid a claim for each property returned which shall contain the unpaid taxes against such property which are due all taxing districts as found in the various returns Such claims shall be entered by the bureau in a suitable claim docket and may be in the form of written or typewritten lists A claim shall cover the unpaid taxes due all taxing districts but the amount due each taxing district shall nevertheless be shown separately A number of years' taxes of different kinds may be included in one claim Any claims shall be amendable by leave of the bureau upon notice to the defendant as the bureau may require

Section 3 Subsection (a) of Section 308 of the act as amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 890) is hereby further amended to read as follows

Section 308 Notice of Filing of Returns and Entry of Claim (a) Not later than the thirty-first day of July of each year or for the first year a county operates under this act not later than the thirty-first day of October the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by United States registered mail return receipt requested postage prepaid addressed to the owner at his last known post office address If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities then notice as herein provided shall immediately be posted on the property affected Each mailed and posted notice shall (1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes is not made to the County Treasurer on or before the thirty-first day of December next following in cases where the notice was mailed prior to August first or that if payment is not made on or before March thirty-first in cases where the notice was mailed on or after August first or no exceptions thereto filed the said claim shall become absolute (3) state that on [August] July first of the year in which such notice is given or if the notice was mailed after July thirty-first that on the first day of the month (naming it) in which the notice was mailed the one (1) year period of redemption shall commence or has commenced to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale

* * * * *

Section 4 Section 311 subsection (b) of Section 314 and subsection (a) of Section 501 of the act are hereby amended to read as follows

Section 311 Claims Become Absolute On the first day of January next following the notice herinbefore prescribed in cases where the notice was mailed prior to August first or on the first day of April in cases where the notice was mailed on or after August first if the amount of the tax claim referred to in the notice has not been paid or no exceptions thereto filed the claim shall become absolute Every such claim shall bear interest as hereinbefore provided to the date of payment or date of sale held under the provisions of this act except in the case of claims where the owner is paying his taxes under the provisions of any law abating penalties interests and costs or either in which case the claim shall bear no interest and costs unless there is a default in payment in which case interest shall run on the amount due on the claim at the time of default and penalties interest and costs abated shall be added as provided by the act of Assembly abating the same

* * * * *

Section 314 Proceeding to Attack Validity of Claim

(b) Any defendant in any such claim at any time before the [first day of January next following the notice as aforesaid] day fixed for the claim to become absolute under Section 311 may file with the bureau exceptions to the claim as entered or to any part of the claim The bureau after giving due notice to the taxing

districts interested shall hold a hearing thereon and either disallow the exceptions or allow the exceptions in whole or in part and strike off or reduce the claim in accordance with the evidence produced and the powers of the bureau as hereinbefore prescribed.

If the defendant is aggrieved by the decision of the bureau he may within fifteen (15) days after notice thereof appeal by petition to the court of common pleas of the county setting forth the defense he has to the claim or any part thereof and the refusal of the bureau to allow his exceptions and strike off or reduce the amount of the claim Thereupon the court shall grant a rule on the taxing district or districts to show cause why the claim should not be set aside or reduced in amount as prayed for in the petition The petitioners shall give notice of such proceeding to the bureau

* * * * *

Section 501 Redemption of Property From Effects of Tax Claims

(a) Any owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representative or other person interested may within one (1) year after the first day of July of the year in which the claim was filed and notice given if the notice was mailed prior to August first or within one year from the first day of the month in which the notice was mailed if mailed on or after August first redeem such property for the benefit of the owner by payment to the bureau of the amount of the aforesaid claim and interest thereon the amount of any other tax or tax judgment due on such property and interest thereon and the amount of all accrued taxes which remain unpaid the record costs including pro rata costs of the notice or notices given in connection with the returns or claims

The bureau shall receive and receipt for said payments and shall make distribution thereof through the county treasurer to the taxing districts entitled thereto The bureau shall forthwith acknowledge the receipt of the redemption moneys by entering satisfaction on the record of the claim in the office of the bureau which shall be signed by the director

* * * * *

Section 5 Subsection (a) of Section 601 of the act as amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby reenacted and further amended to read as follows

Section 601 Date of Sale (a) Commencing on the second Monday of July of each year or for the first year any county is operating under the provisions of this act at the bureaus discretion commencing on the second Monday of October or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) or where held by the bureau under article seven as agent for the various taxing districts the premises remain occupied by one or more persons in the family of the previous owner who are or within the sixty (60) days immediately preceding were receiving assistance from a public agency against which a tax claim has become absolute and the period of redemption has expired (without the property having been redeemed) or against which a tax jugdment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale.

* * * *

Section 6 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

The General Asembly of the Commonwealth of Penn sylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necesary for deficiencies in certain appropriations made to the Department of Welfare by the act to which this is a supplement are hereby specifically appropriated to the department as follows

I Executive Department

To the Department of Welfare

For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of one hundred twenty thousand dollars ($120,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation

of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for the payment to fire companies of costs of fighting fires upon approval of the institution and the department for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of four hundred thousand dollars ($400,000)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, it was my intention to submit amendments to this bill today. However, unfortunately, the statement which was prepared by the Department of Welfare was not in such form that it would permit the Legislative Reference Bureau to draft the amendments. I do not know whether they have the up-to-date information on it by this time or not. If they have, I am assuming that the amendment is being prepared.

Mr. President, I want it understood that I am not opposed to paying back salaries to innocent State employees. However, I am opposed to waste and extravagance and the loose spending of the taxpayers' funds.

I went into the management of these ten medical-surgical hospitals at some length. Mr. President. I have compiled statistics which I will present probably tomorrow or next week. Frankly, I am not a bit surprised that there is a deficiency appropriation necessary at these hospitals. I was going to amend, or attempt to amend, this bill because it is very loosely drawn.

For instance, Mr. President, on page 2, it states, "For the payment of the deficiency in the appropriation for the payment of the salary of the Secretary of Welfare and for the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of one hundred twenty thousand dollars ($120,000)."

Mr. President, I went over to the Department of Welfare this morning and I talked with Mr. Ervin. I tried to get from him a breakdown of the amounts which would be needed for each of the categories named in the bill. Of course, he said that the money was not needed for some of these categories, including the central accounting system. If that is true, why include it in the bill? It seems to me that the way this bill is drafted, if you give them $120,000 for the purposes indicated here, they could spend that $120,000 for any one of the categories which are named here.

Mr. President, it is about time we started to spell out in all appropriation bills, including deficiency appropriation bills, exactly what the money is for and how it is going to be spent, so that it could not be spent for other purposes. It is because the money we did allocate, over $10,000,000 to these ten State-owned medical-surgical hospitals, that they are now asking for a deficiency appropriation totaling $400,000.

Mr. President, if you turn to page 3, where they are requesting $400,000, there you will find the whole series of categories for which this money is to be spent. Yet, when I asked the Majority Leader to get me a statement of how the money was to be spent, it was confined to salaries, food and supplies, and for no other reason. Yet, you have a whole series of categories here for which the money can be spent. When I asked Mr. Ervin for a breakdown of them, he said that it is not going to be used for that purpose. It it is not going to be used for that purpose, why put it in the bill? I would like to get from him an up-to-date statement of the exact amount of money he needed, and the purposes for which he needed it, so that we could incorporate it right in this bill as he gives it to us, in order that the money could not be used for any other purpose than the Department of Welfare says it is going to be used for.

Unfortunately, Mr. President, as I said before, the Legislative Reference Bureau does not have the data and could not prepare the amendment.

Mr. President, I do not want to call your attention to the loose way in which the hospitals are operated. It is that to which I object and not so much the payment of salaries to those who earn them. You take the Nanticoke State Hospital. The free service written off amounts to $126,000. It amounts to, pardon me, $144,000. The accounts receivable, as of May 31, 1952, were $40,000. Take the Hazleton State Hospital. Free service written off is $276,000, and the accounts receivable amount to $78,000. I am giving you round figures, although I have it here in dollars and cents.

Take the Coaldale State Hospital. The free service written off is $118,000, and the accounts receivable $22,000. The Philipsburg State Hospital, the accounts written off is $81,000 and the accounts receivable is $77,000. The Shamokin State Hospital, free service written off was $154,000 and the accounts receivable $97,000. The Locust Mountain State Hospital, free service written off is $113,000, accounts receivable $9,000. The Connellsville State Hospital, free service written off is $25,000 and the accounts receivable, $60,000. Blossburg State Hospital, free service written off, $108,000, and accounts receivable, $40,000. In other words, I have the total sum here of accounts receivable as of May 31, 1952, and they total $545,135.01 and the amount written off as of May 31, 1952 is $1,477,908.69. It was for this reason that I introduced that resolution today.

Mr. President, there is one thing that we have got to do. We must break up this racket that is now in the course of being permitted at these medical-surgical hospitals. As I said to Senator Wagner a short time ago, on this question of whether the hospitals should be returned to the local muncipality, I said to him then that the manner in which these hospitals are being operated is their worst enemy. If they were being operated efficiently and according to Hoyle, the sentiment would not be for disposing of them. Senator Wagner frankly agreed with me.

Mr. President, you take, for instance, the salaries that are being paid to some of the doctors at these hospitals. For Instance, take the Ashland Hospital. It is a 193-bed hospital. They have two doctors there, and they pay one of them $10,230 a year. I do not know who the doctor is, and I do not know how good he is. Take the Blossburg State Hospital. There are three doctors there. It is a 99-bed hospital. They pay one doctor there $12,558 a year, another doctor they pay $7,464 a year and the third doctor, $3,528 a year. Take the Coaldale State Hospital, where the bed capacity is 138—

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state his point of order.

Mr. MAHANY. Mr. President, I wish to be as liberal as possible, but I do not believe that the gentleman from Northampton, Senator Yosko, is talking on this bill.

The PRESIDING OFFICER. Will the gentleman from Northampton, Mr. Yosko, please confine his remarks to the bill which is before the Senate?

Mr. YOSKO. Mr. President, I can only say this, that if the Members of this Senate, who are supposed to be interested in economy and efficiency in government, are not interested in listening to the facts, which is a part of the hodgepodge and mess in the State government, I will close now and take it up tomorrow when we are under "Petitions and Remonstrances" or on "Personal Privilege."

Mr. WAGNER. Mr. President, just to ease the minds of those who have to vote on this measure, I think it should be stated that the gentleman from Northampton, Senator Yosko, was talking about collections which are entirely in the hands, as I understand; of the Department of Revenue.

The Department of Welfare pays the salaries and makes these appropriations, Mr. President. Whether the collections were fifty per cent of outstanding accounts, or eighty or one hundred, that would not have any effect upon this deficiency we are voting on this afternoon. So, Senator Yosko, I think it is irrelevant. I think that this issue may be debated, and discussed and investigated at some more appropriate time in the season, at which time I would be glad to participate.

Mr. President, the only thing we have today is that the Welfare Department is obligated to pay these salaries to these people, and they do not have enough money to do it. The collections from the patients are made by the Department of Revenue, and do not come back to the Department of Welfare and are not available for this particular thing.

Mr. YOSKO. Mr. President, I opened my remarks by stating that I was not opposed to the payment of salaries to these people, provided the hospitals were operated in an efficient manner. I attempted to disclose to the Members of the Senate just how the hospitals are being operated and I was going to go into the amount that is expended in each one of them, as well as the amounts that are written off. However, if you want to object to such discussion at the present time, as I said before, I will yield and go into it at another time.

Mr. HOLLAND. Mr. President, I desire to interrogate the gentleman from Warren, Senator Chapman.

The PRESIDING OFFICER. Will the gentleman from Warren, Mr. Chapman, permit himself to be interrogated?

Mr. CHAPMAN. I will, Mr. President.

Mr. HOLLAND. Senator Chapman, did the Secretary of the Welfare Department, the budget controller or the Governor's Office get a promise from you in the last Session that you were going to make an additional appropriation to their department?

Mr. CHAPMAN. No, Mr. President.

Mr. HOLLAND. Mr. President, I hope everybody heard what he said. The answer was "no."

Therefore, Mr. President, I think that you, as Chairman of the Judiciary General Committee, should bring out that resolution immediately to try Mr. Brown for misfeasance in office.

The PRESIDING OFFICER. Is the gentleman referring to his switch blade knife bill which is in my committee?

Mr. HOLLAND. Mr. President, I am afraid you had better put the bill out and pass it, because we are going to use some switch blades before this Session is over.

The PRESIDING OFFICER. Well, the gentleman would know more about them than I do.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Bane,	Hare,	McCusker,	Stevenson,
Barr,	Harney,	McGinnis,	Stiefel,
Blass,	Kephart,	McMenamin,	Taylor,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Pechan,	Wagner,
Crowe,	Lane,	Peelor,	Weiner,
Diehm,	Leader,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Silvert,	Walker,
Haluska,	Mallery,	Snowden,	Presiding Officer

NAYS—5

Dent,	McCreesh,	Miller,	Yosko,
Holland,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence .

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 703, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions further providing for the correction of errors and providing for the construction of references to certain laws which are repealed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-

eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1427) is hereby further amended to read as follows

Section 4 Effective Date and Time of Laws All laws hereafter enacted finally at a regular session of the Legislature except laws making appropriations and except laws affecting the budget of any political subdivision shall be in full force and effect from and after the first day of September next following their final enactment unless a different date is specified in the law itself or if enacted finally after the first day of September of the year of the regular session or after the date specified in the law the same shall become effective immediately upon final enactment

Appropriations laws or laws having appropriation items enacted finally at a regular session of the Legislature shall be in full force and effect from and after the first day of June next following their final enactment unless a different date is specified in the law itself or unless any such appropriation law or law having an appropriation item is enacted finally after the first day of June in any year in which case it shall be in full force and effect immediately upon final enactment

Laws affecting the budget of any political subdivisions enacted finally at a regular session of the Legislature shall be in full force and effect at the beginning of the fiscal year of the political subdivisions affected following the date of the final enactment of such law unless a different date is specified in the law itself [or if enacted finally after the beginning of such fiscal year or after the date specified in the law the same shall become effective immediately upon final enactment]

All laws enacted finally at a special or extraordinary session of the Legislature shall be in full force and effect immediately upon final enactment unless a different date is specified in the law itself

Section 2 Sections 23 and 82 of said act are hereby amended to read as follows

Section 23 Correction of Errors in Laws Where any law shall have been finally enacted and it shall be ascertained that such law is technically defective in form or contains misspelled words or typographical errors or the plural or singular number or the past present or future tense appears where another should be used or where a word clearly intended to be inserted has been omitted or where a word clearly should have been omitted or where a word is correctly spelled but it clearly appears that another word was intended the Secretary of the Commonwealth in punctuating and editing such law shall have authority with the approval of the President pro tempore of the Senate the Speaker of the House of Representatives the Attorney General and the Director of the Legislative Reference Bureau to correct the original copy of such law as filed in the Department of State if such correction will not in any manner affect or change the meaning intent or substance of such law

Whenever any such correction on any law is made a notation thereof shall be made on the original copy by the Secretary of the Commonwealth together with his signature followed by the approval and signatures of the President pro tempore of the Senate the Speaker of the House of Representatives the Attorney General and the Director of the Legislative Reference Bureau

A notation of such corrections shall also be printed in the pamphlet laws as footnotes to the laws on which the corrections were made

Section 82 Repeal and Re-enactment Whenever a law is repealed and its provisions are at the same time re-enacted in the same or substantially the same terms by the repealing law the earlier law shall be construed as continued in active operation and a reference to the earlier law in any other law shall be construed as a reference to the repealing law All rights and liabilities incurred under such earlier law are preserved and may be enforced

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 704, as follows:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" by clarifying the effect of amendments upon each other and extending the same to previous enactments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 74 75 and 77 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" are hereby amended to read as follows

Section 74 Merger of Subsequent Amendments Whenever a law has been more than once amended the latest amendment shall be read into the original law as previously amended and not into such law as originally enacted This rule applies whether or not the previous amendment is referred to and whether or not its language is incorporated in the latest amendment If the insertions in

and the deletions from the law made by the previous amendment are not incorporated in the later they shall nevertheless be read into the later amendment as though they had in fact been incorporated therein

Section 75 Two or More Amendments to Same Provision One Overlooking the Other Whenever two or more amendments to the same provision of a law are enacted at the same or different sessions one amendment overlooking and making no reference to the other or others [the amendments shall be construed together if possible and effect be given to each If the amendments be irreconcilable] the changes in the law made by each shall be given effect and all the amendments shall be read into each other If the changes made in the law are to any extent in direct conflict with each other the latest in date of final enactment shall prevail to the extent of the direct conflict from the time it becomes effective The fact that a later amendment (i) restates language of the original act which was deleted by an earlier amendment or (ii) fails to restate language inserted by an earlier amendment does not of itself create a conflict between the two amendments Amendments are in conflict with each other only if the changes in the law made by each without considering the inserts and strike-outs of the other cannot be put into operation simultaneously

Section 77 Ineffective Provisions Not Revived by Re-enactment in Amendatory Laws Exception Provisions of a law no longer effective beause of having been deleted by an earlier amendment or otherwise shall not be construed as being revived by re-enactment in an amendatory law unless it shall clearly appear by notice thereof in the title of the amendatory law that the Legislature intended to revive such provisions

Section 2 The provisions of the foregoing amendments being intended as a clarification of existing law shall apply to all acts of assembly heretofore enacted as well as to those hereafter enacted The provisions of this section shall not affect any matter heretofore finally adjudicated by any court of this Commonwealth

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 708, as follows:

An Act relating to and regulating the contracts of incorporated towns and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Power to Make Contracts Each incorporated town may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this and other laws of the Commonwealth

Section 2 Regulation of Contracts (a) All contracts or purchases of incorporated towns in excess of seven hundred and fifty dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulated in the county in which the town is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids The amount of the contract shall in all cases whether of straight sale price conditional sale bailment lease or otherwise be the entire amount which the town pays to the successful bidder or his assigns in order to obtain the services or property or both and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless council shall prescribe a shorter period of not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by council involving an expenditure of over seven hundred and fifty dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water sewer electric light or other public works of the incorporated town provided they do not constitute new additions extensions or enlargments of existing facilities and equipment but a bond may be required by council as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind other than construction materials used in a street improvement made or provided by any incorporated town through its own employes

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured or copy-righted products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or material by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 3 Evasion of Advertising Requirements No

member or members of council shall evade the provisions of Section two hereof by purchasing or contracting for services and personal properties piece-meal for the purpose of obtaining prices under seven hundred and fifty dollars upon transactions which transactions should in the exercise of reasonable discretion and prudence be conducted as one transaction amounting to more than seven hundred and fifty dollars This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement of price or by making several simultaneous purchases or contracts each below said price when in either case the transactions involved should have been made as one transaction for one price Any members of council who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase

Whenever it shall appear that a member of council may have voted in violation of this section but the purchase or contract on which he so voted was not approved by council this section shall be inapplicable

Section 4 Penalty for Interests in Contracts Except as otherwise provided in this act no official of any incorporated town either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the incorporated town or for any work to be done for such incorporated town involving the expenditure by the incorporated town of more than five hundred dollars in any year but this limitation shall not apply to cases where such officer or appointee of the incorporated town is an employe of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise But in the case of a councilman or president of a town council if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no manner participate therein Any official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the town to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 5 Separate Bids for Plumbing Heating Ventilating and Electrical Work In the preparation for the erection construction and alteration of any public building of an incorporated town when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

Section 6 Bonds for the Protection of Labor and Materialmen It shall be the duty of every incorporated town to require any person copartnership association or corporation entering into a contract with such incorporated town for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of seven hundred and fifty dollars before commencing work under such contract to execute and deliver to such incorporated town in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum and not more than one hundred per centum of the contract price as such incorporated town may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the incorporated town for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the incorporated town for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof An incorporated town shall not be liable for the payment of any costs or expense of any such suit

Section 7 Publication of Contract Notices in Trade Journals Any incorporated town whose duty it is by law to advertise for bids for public works contracts supplies or equipment may at its discretion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal devoted to the dissemination of information about construction work published at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased No such advertisement for bids shall be inserted in any such publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months Such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than fifteen thousand dollars per annum duly certified by a public accountant The rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the act known as the Newspaper Advertising Act

Section 8 Acceptance by Contractor of Workmen's Compensation Act All contracts executed by any incorporated town or ang officer thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept insofar as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto and that the said contractor will insure his liability thereunder or file with the incorporated town with whom the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Every officer of any incorporated town who shall sign on behalf of the incorporated town any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of 1915 and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry

Any contract executed in violation of this section shall be null and void

Section 9 Architects and Engineers Employed Prohibited from Bidding on Public Works Penalty It is unlawful for any architect or engineer in the employ of any incorporated town and engaged in the preparation of

plans specifications or estimates to bid on any public work at any letting of such work in this Commonwealth

It is unlawful for the officers of any incorporated town charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the Commonwealth or of any county city borough incorporated town township or other political subdivision of the Commonwealth

It is unlawful for any architect or engineer in the employ of the Commonwealth or of any county city borough incorporated town township or other political subdivision of the Commonwealth to be in anywise interested in any contract for public work for the incorporated town or receive any remuneration or gratuity from any person interested in such contract

Any person violating any of the provisions of this section shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for not more than six months or both

Section 10 All acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 11 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Weiner,
Dent,	Leader,	Peelor,	Wolfe,
Diehm,	Letzler,	Propert,	Wood,
DiSilvestro,	Madigan,	Ruth,	Yosko,
Fleming,	Mahany,	Silvert,	Walker,
Freed,	Mallery,	Snowden,	Presiding Officer
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 709, as follows:

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any person elected or appointed a member or president of the town council of any incorporated town who has been notified of his election or appointment shall refuse or neglect to qualify as such member or president of such town council within ten days next succeeding the beginning of his term of office unless prevented by sickness or prevented by necessary absence from the town the town council acting without such person may declare his office as member or president of the town council vacant and such vacancy shall be filled in the manner now provided by law For such actions a majority of the remaining members of the council shall constitute a quorum

Section 2 Whenever any member of the town council or the president of the town council of any incorporated town shall neglect or refuse to attend two successive regular meetings unless detained by sickness or prevented by necessary absence from the town or if a councilman in attendance at any meeting shall neglect or refuse to vote or by his withdrawal from council or otherwise refuse to act in his official capacity as a member of council or if the president of the town council in attendance at any meeting shall neglect or refuse to cast the deciding vote the town council acting without such person may declare his office as member of the town council or president of the town council vacant and such vacancy shall be filled in the manner now provided by law For such actions a majority of the remaining members of the town councill shall constitute a quorum

Section 3 All acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Weiner,
Crowe,	Lane,	Peelor,	Wolfe,
Dent,	Leader,	Propert,	Wood,
Diehm,	Letzler,	Ruth,	Yosko,
DiSilvestro,	Madigan,	Silvert,	Walker,
Fleming,	Mahany,	Snowden,	Presiding Officer
Freed,	Mallery,	Stevenson,	
Haluska,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1007, as follows:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" is hereby amended to read as follows

Section 2 That when the record in any criminal case shall have been removed by writ of certiorari or otherwise to [the Supreme Court] any appellate court of this

Commonwealth or to any appellate court of the United States for review and shall have been therein disposed of the necessary expenses of the district attorney in connection therewith including a reasonable compensation for his services to be fixed by the court in addition to the regular fee now allowed him by law for trying the case in the lower court shall be paid by the proper county and the costs of the officers including the costs of the justice of the peace and constable and all cases of wife desertion and surety of the peace shall be chargeable to and paid by the proper county as soon as the case is disposed of by the order of the court and it shall be the duty of the district attorney and county commissioners to use all due diligence to collect the costs in every case mentioned in this act from the party made liable therefor by the sentence or order of the court and to pay the same into the county treasury

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Mallery,	Snowden,
Barr,	Hare,	McCreesh,	Stevenson,
Berger,	Harney,	McCusker,	Stiefel,
Blass,	Holland,	McGinnis,	Taylor,
Camiel,	Kephart,	McMenamin,	Toole,
Chapman,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Wagner,
Dent,	Lane,	Pechan,	Weiner,
Diehm,	Leader,	Peelor,	Wolfe,
DiSilvestro,	Letzler,	Propert,	Wood,
Fleming,	Madigan,	Ruth,	Yosko,
Freed,	Mahany,	Silvert,	Walker, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR
BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 289, Printer's No. 194, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 290, Printer's No. 195, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 310, Printer's No. 203, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 333, Printer's No. 46, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 334, Printer's No. 47, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 335, Printer's No. 48, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 402, Printer's No. 197, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 448, Printer's No. 205, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 450, Printer's No. 178, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 451, Printer's No. 179, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 452, Printer's No. 180, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 480, on second reading, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by defining certain terms imposing powers and duties on the Department of Welfare, providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children elminating certain consents to adoption and further providing for hearings and investigatory powers of the court. be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend Section 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any

agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursement from the Historical Preservation Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 655, Printer's No. 84, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. WEINER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER, from the Committee on Insurance, reported as amended Senate Bill No. 465, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges;" by increasing the permitted amount of insurance coverage in certain cases.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceeding to the first reading of all bills reported from committees for the first time at today's session.

Mr. McPHERSON, JR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 13, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The Senate proceeded to the first reading and consideration of Senate Bill No. 40, entitled:

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and ther employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by increasing the compensation of assessors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish ponds licenses and the terms of such licenses and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 189, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 208, entitled:

An Act providing for a propagation and educational program by the Department of Forests and Waters relating to the propagation of nut and wild fruit trees and seed bearing shrubs in this Commonwealth the distribu-

tion and planting of nut and wild fruit trees and seed bearing shrubs with the cooperation of certain State and Local governmental agencies and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 236, entitled:

An Act designating certain banking institutions as additional loan and transfer agents of the Commonwealth and conferring powers and imposing duties upon such institutions and certain State officers with respect thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 258. entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunites of such associations and of their officers directors shoreholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 259, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights, powers, duties, liabilities, and immunities of such associations and of thier directors and shareholders; and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," by further providing for the issuance of share accounts to minors and validating their acquittances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 281, entitled:

An Act to add section 684.1 to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful for officers or employes of the Commonwealth to drive over certain closed roads for purpose of hunting or fishing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 314, entitled:

An Act providing for the establishment of a fish hatchery in Wayne or Pike Counties; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 347, entitled:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire burglary larceny theft robbery forgery or fraud

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 439, entitled:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes, and for the control of the stem rust disease of wheat, oats, barley and rye upon request of county commissioners, and authorizing the Department of Agriculture to establish regulations therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 464, entitled:

An Act relating to the education certification and jurisdiction of justices of the peace and aldermen conferring powers and imposing duties on the Department of Public Instruction the president judge of the various courts of common pleas and county commissioners

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by increasing the permitted amount of insurance coverage in certin cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 476, entitled:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation deisgnating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further classifying real estate for the purpose of taxation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 510, entitled:

An Act to further amend Section 20 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by conferring powers and imposing duties on the State Treasurer regarding the collection and payment of per capita, poll and occupation taxes owed by State employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 542, entitled:

An Act to amend the Title and the act approved the second day of May one thousand nine hundred and forty-nine (P. L. 873) entitled "An act requiring that the name address political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections requiring secretaries of political subdivisions to report said bureau the names of persons appointed as chief administrative officials the name of the office and the name of the person succeeded" by eliminating certain reports from the county board of elections and requiring reports from the secretaries of political subdivisions to the Bureau of Municipal Affairs and to the county commissioners of the county in which the political subdivision is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 543, entitled:

An Act provding for and regulating the annexation of parts of a second class township to boroughs and cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act directing the Department of Forests and Waters to build a replica of Ole Bull's Castle on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norwegian musician.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rule regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1009, entitled:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvana Game Commission to pay certain unrecovered costs of suit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1079, entitled:

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND COMMITTED

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. BARR and FLEMING read in place and presented to the Chair Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

Which was committed to the Committee on Local Government.

Mr. WADE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. WADE and WAGNER read in place and presented to the Chair Senate Bill No. 590, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rat-

ing bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by adding thereto a new Article VII relating to title insurance; defining and providing for the organization of title insurance companies, the regulation and supervision of title insurance and the title insurance business of bank and trust companies, trust companies or other corporations; prohibiting the transaction of the business of title insurance except by title insurers, as defined, providing for the regulation of title insurance underwriters, as defined, prescribing the terms and conditions upon which foreign title insurance companies may be admitted, or may continue to do a title insurance business within the Commonwealth; conferring powers and duties upon the Insurance Commissioner and the Banking Department with respect thereto; imposing penalties and repealing certain acts and parts of acts relating to title insurance companies and the business of title insurance.

Which was committed to the Committee on Insurance.

They also read in place and presented to the Chair Senate Bill No. 591, entitled:

An Act relating to the regulation of rates for title insurance which may be charged by title insurance companies, both domestic and foreign, banks and trust companies or trust companies having the power to make title insurances, and title insurance underwriters; to rating organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations and enforcing the provisions of this act; prescribing and regulatng the practice and procedure before the Insurance Commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for the enforcement thereof, repealing the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 538) insofar as it applies to title insurance, repealing inconsistent acts and continuing existing filings and proceedings.

Which was committed to the Committee on Insurance.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, May 13, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:27 o'clock p. m., Eastern Standard Time, until Wednesday, May 13, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 12, 1953.

The House met at 1:00 p. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, the fountain of all wisdom, who knowest our necessities before we ask, and our ignorance in asking; we beseech thee to have compassion upon our infirmities and those things which for our unworthiness we dare not; and for our blindness we can not ask, vouchsafe to give us, for the worthiness of Thy Son Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, May 11, 1953?

Mr. SCOTT. Mr. Speaker, I move that the approval of the Journal for Monday, May 11, 1953, be postponed until the Journal is in print.

The motion was agreed to.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 48, 63, 97 and 519 and Senate Resolution Serial No. 130.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour for the purpose of a Democratic Caucus. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 51.

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

HOUSE BILL No. 112.

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Chester, Mr. Leisey, to please come to the rostrum so that he may preside as Speaker pro tempore for today's session.

MR. LEISEY IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Mr. KENT. HOUSE BILL No. 1290.

An Act to further amend section 706 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the state government; providing for the settlement, assessment, collection, and liens of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the state government, and every political subdivision of the state, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collet taxes, or to make returns or reports under the laws imposing taxes for state purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every state depository and every debtor or creditor of the Commonwealth," by clarifying the provisions thereof relating to the filing of bonus reports and the payment of bonus by foreign corporations, limited partnerships and joint-stock associations, and by providing for the filing of excise tax reports and the payment of such tax by foreign corporations, limited partnerships and joint-stock associations.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 1291.

An Act to further amend the penalty clause of Section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, stret cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers;; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the penalties with respect to speed restrictions.

Referred to the Committee on Motor Vehicles.

By Mr. BUCCHIN. HOUSE BIL LNo. 1292.

An Act to further amend Section 2 of the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the businesses of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necesities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by reducing the rate of interest on loans.

Referred to the Committee on Banking and Building and Loan Associations.

By Mr. BOWER. HOUSE BILL No. 1293.

An Act to further amend Section 612.1 of the act, approved the seventh day of July. one thousand nine hundred forty-seven (P. L. 1368), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within the cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by requiring the county commissioners to sell all realty purchased by them for non-payment of taxes within two years.

Referred to the Committee on Municipal Corporations.

By Mr. WILBUR H. HAMILTON.
HOUSE BILL No. 1294.

An Act to further amend the definition of "Tractor" in Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including in such definition certain vehicles used for snow removal.

Referred to the Committee on Motor Vehicles.

By Messrs. WOOD and ANDREWS.
HOUSE BILL No. 1295.

An Act providing for joint action by the States of Delaware, New Jersey, and New York and the Commonwealth of Pennsylvania in developing, utilizing, controlling, and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply; authorizing the Governor, for these purposes, to enter into a compact with the States of New Jersey, Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent hereto; creating the Delaware River Basin Water Commission and specifying the powers and duties thereof, including the powers of eminent domain and the power to finance projects by the issuance of bonds; providing for the appointment of the Pennsylvania members of the said Commission; approving an integrated water project; requiring the Commission to prepare and report plans and specifications for specific projects; and requiring certain prior approvals by the Legislatures of the compacting States.

Referred to the Committee on State Government.

By Messrs. WOOD and ANDREWS.
HOUSE BILL No. 1296.

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

Referred to the Committee on Game and Forestry.

By Messrs. WOOD and ANDREWS.
HOUSE BILL No. 1297.

An Act to further amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, association, or persons; restricting the exercise of banking powers by any other corporation, asosciation, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by authorizing foreign banking institutions to conduct certain business and enforce certain rights in this Commonwealth.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. STIMMEL and VAN SANT.
HOUSE BILL No. 1298.

An Act authorizing the Department of Property and Supplies, to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown, Lehigh County, Pennsylvania, and providing for the disposition of the proceeds of the purchase moneys.

Referred to the Committee on State Government.

By Mr. TOMPKINS. HOUSE BILL No. 1299.

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys, the use, benefit, enjoyment or control of which would not be available to certain non-resident beneficiaries entitled thereto; and providing remedies to such beneficiaries under certain conditions.

Referred to the Committee on Judiciary.

By Mr. BREISCH. HOUSE BILL No. 1300.

An Act to add section five to the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth, showing the location of the same and the geologic formations encountered therein, and to make copies of such records available upon payment of prescribed fees; and providing fees and penalties," by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund, and directing that appropriations to carry out the provisions of the act are made from the General Fund, upon proper budgetary request.

Referred to the Committee on State Government.

By Mr. KRATZ. HOUSE BILL No. 1301.

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 215), entitled "An act providing for the creation and incorporation as municipal corporations, and for the management and operation, of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth, and its agencies through the construction of water-works and facilities, and/or the acquisition of the property, water-works, rights and francises of public and private corporations, copartnerships, associations, and individuals furnishing and supplying water to the public in said districts; prescribing the powers and duties of such districts, and the officers thereof; conferring jurisdiction on courts of common pleas in connection therewith; and imposing certain costs and charges preliminary on counties," by further regulating the appointment or election of the governing board and officers of water supply districts; conferring powers and imposing duties upon the legislative bodies of political subdivisions; providing for water supply district representatives; defining their powers and duties and clarifying provisions relating to costs and charges.

Referred to the Committee on Municipal Corporations.

By Mr. DAVIS. HOUSE BILL No. 1302.

An Act providing for the observance of March fifteenth of each year as Charter Day.

Referred to the Committee on State Government.

By Messrs. IDE and SUCHER.
HOUSE BILL No. 1303.

An Act to amend Section 4114 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the procedure for amendments to zoning ordinances.

Referred to the Committee on Cities—Third Class.

By Mr. MOODY. HOUSE BILL No. 1304.

An Act authorizing the Department of Property and Supplies to lease property in Harrisburg, Dauphin County, for underground parking facilities.

Referred to the Committee on State Government.

By Messrs. VAUGHAN and VERONA.
HOUSE BILL No. 1305.

An Act regulating horse racing with wagering on the results thereof; providing for the licensing of race tracks, race horse owners, riders, trainers, stewards and officials for such racing; providing for revocation of such licenses and appeals therefrom; imposing license fees, creating a departmental administrative commission within the Department of Agriculture and defining its powers and duties for the administration of this act; requiring the revenues accruing under this act to be paid into the Public School Employes' Retirement Fund; imposing penalties; providing for a State-wide referendum to ascertain the will of the electors of the Commonwealth and repealing inconsistent legislation.

Referred to the Committee on Law and Order.

By Messrs. VAN SANT and STIMMEL,
and MARIAN E. MARKLEY. HOUSE BILL No. 1306.

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing issuance of resident fishing licenses to certain residents who intend to become naturalized.

Referred to the Committee on Fisheries.

By Mr. STONE. HOUSE BILL No. 1307.

An Act to further amend Section 2 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school district of the third class and school districts of the fourth class to levy assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by restricting requirement to advertise intention to adopt tax ordinance or resolution to first enactment of such tax ordinance or resolution.

Referred to the Committee on Municipal Corporations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 518.

An Act to amend section 2 of the act, approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608), entitled "An act merging and consolidating State housing with State planning; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code; and repealing certain act," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs.

Referred to the Committee on State Government.

SENATE BILL No. 520.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

Referred to the Committee on State Government.

SENATE BILL No. 521.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, anl officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs, and changing the membership of the board.

Referred to the Committee on State Government.

SENATE BILL No. 522.

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the exectuive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assisttants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

Referred to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. EWING from the Committee on Ways and Means, reported as committed, House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agancy thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing that any number of items, though held for different persons, may be joined by an escheator in one petition in escheat, providing for actions by escheators for depositions, discovery and inspection.

Mrs. MARKLEY from the Committee on Professional Licensure, reported as committed, House Bill No. 500, entitled:

An Act to amend the proviso of Section 3 of the Act approved the fourteenth day of January, one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled: "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and disposition of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of Health; and repealing other laws" by extending the effective date of the proviso.

Mr. MAGUIRE from the Committee on Professional Licensure, reported as committed, House Bill No. 562, entitled.

An Act to amend Sections 7 and 8 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation and dis-

position of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of Health; and repealing other laws," by changing the provisions relating to preparation rooms.

Mr. GLICK from the Committee on Professional Licensure, reported as committed, House Bill No. 623, entitled:

An Act to amend the act approved the third day of May, one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by providing for the registration or licensing of certain persons not originally licensed in Pennsylvania to practice beauty culture.

Mr. EWING from the Committee on Ways and Means, reported as committed, House Bill No. 638, entitled:

An Act to further amend Section 1 of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini, one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by reducing the time after settlement, within which the tax must be paid.

Mr. EWING from the Committee on Ways and Means, reported as committed, House Bill No. 639, entitled:

An Act to further amend Section 1 of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by reducing the time after settlement within which the tax must be paid.

Mr. SARRAF from the Committee on Professional Licensure, reported as committed, House Bill No. 643, entitled:

An Act to regulate the business of private detectives, investigators, and watch, guard or patrol agencies, and the licensing thereof; providing penalties.

Mr ZEITZ, from the Committee on Professional Licensure, reported as committed, House Bill No. 649, entitled:

An Act to amend subsection (g) of Section 3 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons and registration of corporations engaging in the care, preparation, and disposition of the bodies of deceased persons, and providing penalties; providing for a State Board of Funeral Directors in the Department of Health; and repealing other laws," by providing that persons with fifteen or more years of experience as apprentices shall pass an examination based on practical experience only.

Mr. RUBIN, from the Committee on Professional Licensure, reported as amended, House Bill No. 779, entitled:

An Act to further amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1182), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County; and prescribing penalties," by extending the period for application for limited examination and to transfer from the jurisdiction of the States Board of Medical Education and Licensure; providing for licensure of non-resident practictioners; providing for licensing of graduates of unincorporated schools of chiropractic; removing requirement to mail registration renewal applications.

Mr. KERLIN, from the Committee on Judiciary, reported as committed House Bill No. 894, entitled:

An Act to amend Section 316 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers, providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing a corporation by action of its board of directors to grant pensions, allowances and stock options to its officers and other employees under certain circumstances and validating pensions, allowances and stock options heretofore granted.

Mr. ZIEGLER from the Committee on Cities—Third Class, reported as committed, House Bill No. 952, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending revising and consolidating the law relating thereto," by further providing for filling of vacancies in certain offices and for notice and publication of fire protection codes and ordinances; authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds; increasing the criminal jurisdiction of the mayor as an alderman; authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising; authorizing certain street construction

and improvement by city employes and the sale of real estate by the city at public sale; providing for payment by city of certain costs in connection with shade trees, and further regulating purchases and contracts.

Mr. PAUL F. JONES from the Committee on Judiciary, reported as amended, House Bill No. 1059, entitled:

An Act to amend Section 1 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names; and making certified copies of their election evidence in all cases," by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name.

Mr. TAYLOR from the Committee on Ways and Means, reported as committed, House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

Mr. TAYLOR from the Committee on Ways and Means, reported as committed, House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships; providing for the computation, payment, assessment, settlement and resettlement of the tax, and reviews and appeals therefrom; conferring powers, and imposing duties on certain persons, corporations and certain partnerships, State officers, boards and departments; requiring certain reports; creating a lien for unpaid tax; imposing penalties; and repealing certain acts relating to corporations and certain partnerships.

Mr. MOODY from the Committee on Judiciary, reported as committed, House Bill No. 1179, entitled:

An Act to provide an additional manner of taking the affidavit now required by law to be taken in cases of certiorari from aldermen and justices of the peace.

Mr. SCHMIDT from the Committee on Judiciary, reported as amended, House Bill No. 1188, entitled:

An Act to further amend Section 3 of the act, approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 468), entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees.

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as committed, House Bill No. 1208, entitled:

An Act to amend Section 3 of the act, approved the seventh day of January, one thousand nine hundred fifty-two (P. L. 1841), entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace, and imposing liability therefor upon the county in certain cases," by imposing liability for costs or fees on private prosecutors in certain cases.

Mr. PAUL F. JONES from the Committee on Judiciary, reported as committed, House Bill No. 1209, entitled:

An Act to amend the title and the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defenders, and witnesses appear on the transcript thereof," by imposing costs on private prosecutors in certain cases, and prohibiting payment by counties.

Mr. MIHM from the Committee on Judiciary, reported as amended, House Bill No. 1252, entitled:

An Act to amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by defining imprisonment, making the crime of prison breach a felony and fixing the penalty therefor.

Mr. STEVENSON, from the Committee on Townships, reported as committed House Bill No. 1282, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by requiring corporate surety on certain bonds.

Mr. ASHTON, from the Committee on Townships, reported as committed, House Bill No. 1283, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by requiring corporate surety on certain bonds.

Mr. TOLL, from the Committee on Judiciary, reported as committed, Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

Mr. MOSCRIP, from the Committee on Townships, reported as amended Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

Mr. GRANVILLE E. JONES, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 474, entitled:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (Penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act.

JUNIOR AND SENIOR CLASSES OF GREEN HILL HIGH SCHOOL WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a delegation of students from the Junior and Senior classes of Green Hill High School, Fulton County, under the supervision of their teacher, Mr. Mellott. They are the guests of the gentleman from Fulton, Mr. Kerlin.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 125, entitled:

An Act to further amend section 2103 of the act approved the twenty-third day of June on thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting sick leaves of firemen to be accumulated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 207, Printer's No. 65,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 416, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties of the Department of Health Secretary of Health and Advisory Health Board relating to the protection of the purity and sanitation of milk for human consumption to the Department of Agriculture

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 133, Printer's No. 223,

House Bill No. 330, Printer's No. 224,

House Bill No. 573, Printer's No. 226,

House Bill No. 908, Printer's No. 168 and

House Bill No. 909, Printer's No. 169,

were passed over at the request of the SPEAKER pro tempore.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 9, as follows:

An Act to amend subsections (a) and (f) of section 1307 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by authorizing voting by qualified electors honorably discharged from the military service within thirty days prior to the last day for registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (f) of section 1307 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as added by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 3) is hereby amended to read as follows

Section 1307 Military Electors and Unregistered Honorably Discharged Electors Voting in Ditricts of Residence (a) Whenever any qualified elector in actual military service or who has been honorably discharged from the military service within thirty days prior to the last day for registration for the next ensuing election is present in his voting district of residence on any primary municipal or general election day and has not already voted in such election he may apply to his district election board for an official ballot and vote it in such election

* * * *

(f) Each county board of election before the day fixed by this act for the canvassing of official ballots shall post attached to the "Military File" an alphabetically arranged list setting forth the name residence the local voting district and ward of every military elector voting under the provisions of this section The list shall designate which electors are honorably discharged from the military service and permitted to vote without registration The list shall not contain the elector's military address or military organization Copies of such list may be furnished as in the case of copies of the military file

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kratz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 91, Printer's No. 175,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in contitutional law and government in public private and parochial school.

On the question,

Will the House agree to the bill on third reading?

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1515), page 2, line 8, by inserting a bracket before the word "given"

Amend Sec. 1 (Sec. 1515), page 2, line 9, by inserting a bracket after the word "in" and inserting immediately thereafter the following: "integrated in the social studies curriculum, a study of"

Amend Sec. 1 (Sec. 1515), page 2, line 11, by striking out "detailed"

Amend Sec. 1 (Sec. 1515), page 2, line 12, by striking out "ELECTED AND APPOINTED OFFICER" and inserting in lieu thereof: "elective and appointive office"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agred to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 317, as follows:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section eighteen article eight is hereby amended to read as follows

Section 18 The General Assembly may by general law provide a manner in which and the time and place at which qualified war veteran voters may vote who are unable to attend at their proper polling places because of being bed-ridden or otherwise physically incapacitated and may provide for the return and canvass of their votes in the election district in which they respectively reside Positive proof of being bed-ridden or otherwise physically incapacitated shall be given by affidavit or by certification of a physician hospital or other authenticated source

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,

Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 344, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owner of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration fee of certain motor buses and motor omnibuses and prohibiting the use of metal or solid rubber or cushion rubber tires on such vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 707 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 707 Motor Buses and Motor Omnibuses with Pneumatic Tires

The fee for annual registration of each motor bus and motor omnibus with pneumatic tires shall be according to seating capacity and the following classes

Class	Seating Capacity	Fee
A	Five (5) passenger or less	$25.00
B	More than five (5) passengers and less than eight (8) passengers	$30.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers	$40.00 plus $4.00 for each seat over seven seats
D	In excess of twenty-six (26) passengers	$40.00 plus $4.00 for each seat over seven seats to and including twenty-six seats plus [$10.00] $5.00 for each seat over twenty-six The maximum fee to be charged for a two (2) axle bus shall be $175.00

Section 2 Section 708 of said act is hereby repealed

Section 3 Section 820 of said act is hereby amended by adding after subsection (d) thereof a new subsection and the penalty clause thereof is hereby amended to read as follows

Section 820 Chains and Tires

* * * *

(e) It shall be unlawful for any motor bus or motor omnibus equipped with metal solid rubber or cushion rubber tires to be hereafter registered and operated upon any highway road or street of this Commonwealth

Penalty Any person violating any of the provisions of subsections (a) (b) [or] (c) or (e) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Geer,	Markley,	Sarraf,
Alexander,	Gibson,	Mathews,	Schmidt,
Amarando,	Gleason,	Maxwell,	Schuster,
Andrews,	Glick,	McCann,	Schwartz,
Ashton,	Goodling,	McCormack,	Scott,
Auker,	Gramlich,	McCullough,	Seyler,
Banker,	Greenwood,	McDermit,	Shoemaker,
Barkdoll,	Guss,	McGee,	Shotwell,
Baumunk,	Gutendorf,	McInroy,	Smith, W. B.,
Bazin,	Guthrie,	McWherter,	Snider,
Bear,	Hall,	Metz,	Spencer,
Blair,	Hamilton, R. K.,	Mihm,	Stank,
Boles,	Hamilton, W. H.,	Mikula,	Stevenson,
Bolton,	Harris,	Miller,	Stimmel,
Bomberger,	Haudenshield,	Mills,	Stone,
Boory,	Helm,	Monroe,	Stoner,
Bower,	Hersch,	Moody,	Strausser,
Breisch,	Hewitt,	Moore,	Sucher,
Breth,	Hoggard,	Moran,	Taylor,
Brown,	Ide,	Moscrip,	Thomas,
Bucchin,	Jenkins,	Muldowney,	Thompson,
Buchanan,	Jim,	Munley,	Toll,
Bullen,	Johnson,	Murray, J. J.,	Tompkins,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, Gran'le E.	Musto,	VanSant,
Cioffi,	Jones, Paul F.,	Naugle,	Varallo,
Clapper,	Jones, T. H. W.,	Needham,	Varner,
Cochran,	Jump,	Ogilvie,	Vaughan,
Comer,	Kamyk,	Olsen,	Verona,
Connelly,	Keller,	Parlante,	Wall,
Conner,	Kent,	Peifly,	Wallace,
Cooper,	Kerlin,	Peta,	Walsh
Coyle,	Kohl,	Petrosky,	Wargo,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Waterhouse,
Dougherty,	Kratz,	Phillips,	Whalley,
Down,	Kromer,	Polaski,	Wheeler,
Downey,	Kubacki,	Polen,	White,
DuBois,	Lafore,	Poltenstein,	Whitenight,
Dunn,	Lederer,	Price,	Willaredt,
Erb,	Leisey,	Quisenberry,	Williams,
Ewing,	Leonard,	Ragot,	Wilt,
Farabaugh,	Leven,	Readinger,	Wood,
Fenrich,	Light,	Reagan,	Worley,
Ferster,	Limper,	Reidenbach,	Yeakel,
Filo,	Lippincott,	Richter,	Yetzer,
Flack,	Lopresti,	Rosen,	Young,
Fleischman,	Lovett,	Rovansek,	Zeitz,
Floyd,	Lutty,	Royer,	Ziegler,
Flynn,	Maguire,	Rubin,	Smith, C. C., Speaker
Frost,	Mahan,		

NAYS—3

Hocker,	Welsh,	Wescott,

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 414, as follows:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide an adsectum judgment index and fixing the fees of the prothonotaries therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The prothonotaries of the several courts of common pleas may with the approval of the County Commissioners keep a separate index to be known as the adsectum judgment index in which shall be entered in alphabetical order the names of all persons in whose favor any judgment or judgments shall have been enterd or to whom any judgment or judgments previously entered have been assigned of record

Section 2 The prothonotaries are hereby authorized to collect as part of the costs for entering any judgment or assignment thereof a fee of twenty-five cents for indexing said judgment or assignments in the adsectum judgment index in addition to any fees which they are now authorized by law to collect

Section 3 The act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 614) entitled "An act requiring the prothonotaries of the several courts of common pleas of this Commonwealth to provide an adsectum judgment index and fixing the fees of the prothonotaries therefor" is hereby repealed

Section 4 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Geer,	Markley,	Schuster,
Alexander,	Gibson,	Mathews,	Schwartz,
Amarando,	Gleason,	Maxwell,	Scott,
Andrews,	Glick,	McCann,	Seyler,
Ashton,	Goodling,	McCormack,	Shoemaker,
Auker,	Gramlich,	McCullough,	Shotwell,
Banker,	Greenwood,	McDermit,	Smith, W. B.,
Barkdoll,	Guss,	McGee,	Snider,
Baumunk,	Gutendorf,	McInroy,	Spencer,
Bazin,	Guthrie,	McWherter,	Stank,
Bear,	Hall,	Metz,	Stevenson,
Blair,	Hamilton, R. K.,	Mihm,	Stimmel,
Boles,	Hamilton, W. H.,	Mikula,	Stone,
Bolton,	Harris,	Miller,	Stoner,
Bomberger,	Haudenshield,	Mills,	Strausser,
Boory,	Helm,	Monroe,	Sucher,
Bower,	Hersch,	Moody,	Taylor,
Breisch,	Hewitt,	Moore,	Thomas,
Breth,	Hocker,	Moran,	Thompson,
Brown,	Hoggard,	Moscrip,	Toll,
Bucchin,	Ide,	Muldowney,	Tompkins,
Buchanan,	Jenkins,	Munley,	Toomey,
Bullen,	Jim,	Murray, J. J.,	VanSant,
Capano,	Johnson,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Geo. E.,	Musto,	Varner,
Cioffi,	Jones, Gran'le E.	Naugle,	Vaughan,
Clapper,	Jones, Paul F.,	Needham,	Verona,
Cochran,	Jones, T. H. W.,	Ogilvie,	Wall,
Comer,	Jump,	Olsen,	Wallace,
Connelly,	Kamyk,	Parlante,	Walsh
Conner,	Keller,	Peifly,	Wargo,
Cooper,	Kent,	Peta,	Waterhouse,
Coyle,	Kerlin,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lutty,	Royer,	Ziegler,
Flynn,	Maguire,	Rubin,	Smith, C. C., Speaker
Frost,	Mahan,	Sarraf,	

NAYS—1

Lovett,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 555, Printer's No. 177 and

House Bill No. 574, Printer's No. 221

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 601, as follows:

An Act to amend section 200 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by giving the Pennsylvania Fish Commission power to use any method or means of fish eradication for the purpose of fish management and control

The General Assembly of the Commonwealth of Pennsylvania hreby enacts as follows

Section 1 Section 200 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 200 Pollution of Waters Prohibited Explosives No person shall put or place in any waters within or on the boundaries of this Commonwealth any electricity explosive or any poisonous substances whatsoever for the purpose of catching injuring or killing fish except that for the purposes of fish management agents of the Pennsylvania Fish Commission under the supervision of the Executive Director may use any method or means of fish eradication or control No person shall allow any substance of any kind or character deleterious destructive or poisonous to fish to be turned into or allowed to run flow wash or be emptied into any waters within this Commonwealth unless it be shown to the satisfaction of the [Board of Fish Commissioners] Pennsylvania Fish Commission or to the proper court that every reasonable and practicable means has been used to abate and prevent the pollution of waters in question by the escape of deleterious substances

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Geer,	Mathews,	Schuster,
Alexander,	Gibson	Maxwell,	Schwartz,
Amarando,	Gleason,	McCann,	Scott,
Andrews,	Glick,	McCormack,	Seyler,
Ashton,	Goodling,	McCullough,	Shoemaker,
Auker,	Gramlich,	McDermit,	Shotwell,
Banker,	Greenwood,	McGee,	Smith, W. B.,
Barkdoll,	Guss,	McInroy,	Snider,
Baumunk,	Gutendorf,	McWherter,	Spencer,
Bazin,	Guthrie,	Metz,	Stank,
Bear,	Hall,	Mihm,	Stevenson,
Blair,	Hamilton, R. K.,	Mikula,	Stimmel,
Boies,	Hamilton, W. H.,	Miller,	Stone,
Bolton,	Harris,	Mills,	Stoner,
Bomberger,	Haudenshield,	Monroe,	Strausser,
Boory,	Helm,	Moody,	Sucher,
Bower,	Hersch,	Moore,	Taylor,
Breisch,	Hewitt,	Moran,	Thomas,
Breth,	Hocker,	Moscrip,	Thompson,
Brown,	Hoggard,	Muldowney,	Toll,
Bucchin,	Ide,	Munley,	Tompkins,
Buchanan,	Jenkins,	Murray, J. J.,	Toomey,
Bullen,	Jim,	Murray, P. G.,	VanSant,
Capano,	Johnson,	Musto,	Varallo,
Cianfrani,	Jones, Geo. E.,	Naugle,	Varner,
Cioffi,	Jones, Gran'le E.,	Needham,	Vaughan,
Clapper,	Jones, Paul F.,	Ogilvie,	Verona,
Cochran,	Jones, T. H. W.,	Olsen,	Wall,
Comer,	Jump,	Parlante,	Wallace,
Connelly,	Kamyk,	Peifly,	Walsh,
Conner,	Keller,	Peta,	Wargo,
Cooper,	Kent,	Petrosky,	Waterhouse,
Coyle,	Kerlin,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Quisenberry,	Willaredt,
Erb,	Lederer,	Ragot,	Williams,
Ewing,	Leisey,	Readinger,	Wilt,
Farabaugh,	Leonard,	Reagan,	Wood,
Fenrich,	Leven,	Reidenbach,	Worley,
Ferster,	Light,	Richter,	Yeakel,
Filo,	Limper,	Rosen,	Yetzer,
Flack,	Lippincott,	Rovansek,	Young,
Fleischman,	Lopresti,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
	Markley,		

NAYS—1

Lovett,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 889 of the act approved the twenty-fourth day of June one thousand nine hundrd thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 401) is hereby further amended to read as follows

Section 889 Illegally Wearing Military Insignia Whoever wilfully wears the insignia badge shield or button of the Loyal Legion of the United States or the Grand Army of the Republic or the Union Veteran Legion or the Order

Sons of Veterans or the Spanish-American War Veterans or the Society of Spanish-American or Philippine Wars or the American Legion or the Veterans of Foreign Wars of the United States or the Disabled American Veterans of the World War or the American Veterans of World War II (AMVETS) or the Marine Corps League or the Air Force Association or the Civil Air Patrol or the official decorations of any said organizations or uses the same to obtain aid or assistance unless he is entitled to use or wear the same under the constitution and by-laws rules and regulations of such organizations is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars ($100) or be imprisoned for a period not to exceed sixty (60) days or both

Section 2 Section 891 of the act as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 969) is hereby further amended to read as follows

Section 891 Illegally Wearing Military Uniform Whoever wears the uniform or any distinctive part thereof of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or Civil Air Patrol or of the National Guard while soliciting alms or while engaged for personal profit in selling merchandise or taking orders for the same or while engaged for personal profit in seeking or receiving contributions in support of any cause enterprise or undertaking or while engaged in soliciting or receiving subscriptions to any book paper or magazine unless said wearer is a duly authorized solicitor of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion or the Disabled American Veterans of the World War or the American Veterans of World War II (AMVETS) or the Marine Corps League or the Civil Air Patrol or any local branch camp or post thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or undergo imprisonment for not more than two (2) months or both

This section shall not apply to any member of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or to any member of the National Guard or the Civil Air Patrol while in service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Granʼle E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the queston was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 692, Printer's No. 182,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196 and
House Bill No. 822, Printer's No. 150,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 854, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing

for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by regulating the passing of vehicles at intersections the use of highways by pedestrians and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1013 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended by adding immediately following subsection (c) thereof a new subsection to read as follows

Section 1013 Right of Way

* * * * *

(d) Whenever any vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the highway the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 Subsection (b) and the Penalty Clause of Section 1026 of said act as amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) are hereby further amended to read as follows

Section 1026 Traffic Signal Interpretation

* * * * *

(b) Whenever traffic at an intersection is alternately directed to stop and go by the use of traffic signals the colored lights shall indicate as follows except as otherwise provided in this section

1 Green Traffic facing the signal may proceed straight ahead and make right or left turns except where no such turns are permitted when so indicated by official signs Vehicular traffic shall yield the right of way to pedestrians crossing or who have started to cross the roadway on the green signal and vehicles lawfully within a crosswalk or the intersection at the time such signal was exhibited Pedestrians facing the signal may proceed across the highway within any marked or unmarked crosswalk

2 Yellow When Shown Alone Traffic facing the signal shall stop before entering the nearest crosswalk at the intersection but if such stop cannot be made in safety a vehicle may be driven cautiously through the intersection Pedestrians facing such signals are thereby advised that there is insufficient time to cross the highway and any pedestrians then starting to cross shall yield the right-of-way to all vehicles

3 Red Traffic facing the signal shall stop before entering the intersection and remain standing until green is shown No movement or turns shall be lawful on red except as otherwise provided in this section No pedestrian facing such signal shall enter the highway unless he can do so safely and without interfering with any vehicular traffic

4 No "U" turns shall be made on a two-way street in a business or residence district unless they shall be made back of the intersection on such signal and at such times and places as may be indicated by official signs

5 Whenever special pedestrian-control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in operation such signals shall indicate

Walk Pedestrians facing such signal may proceed across the highway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles

Wait or Don't Walk No pedestrian shall start to cross the highway in the direction of such signal but any pedestrian who has partially completed his crossing shall proceed to a sidewalk or safety island while the wait or don't walk signal is showing

* * * * *

Penalty Any person violating any of the provisions [of subsection (a)] of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five ($5) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days

Section 3 Article X of said act is hereby amended by adding immediately following Section 1026 thereof a new section to read as follows

Section 1026.1 Pedestrians Subject to Traffic Regulations

(a) Pedestrians shall be subject to traffic-control signals at intersection as provided in Section 1026 of this article unless required by local ordinance to comply strictly with such signals but at all other places pedestrians shall be accorded the privileges and be subject to the restrictions stated in this article

(b) Local authorities are hereby empowered by local ordinance to require that pedestrians shall strictly comply with the directions of any official traffic-control signal and may by ordinance prohibit pedestrians from crossing any highway in a business or residential district or any designated highway except in a crosswalk

Section 4 Section 1031 of said act as added by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby amended to read as follows

Section 1031 Pedestrians [Soliciting Rides] on Highway

(a) It shall be unlawful for any person to stand on the main traveled portion of any street or highway for the purpose of soliciting a ride from the driver of any vehicle

(b) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent highway

(c) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the highway or its shoulder facing traffic which may approach from the opposite direction

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of two ($2) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than one (1) day

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,

Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Granle E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kofil,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 889, entitled:

An Act to amend Section 1219 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating the removal of wrecked and abandoned automobiles.

On the question,

Will the House agree to the bill on third reading?

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 1219) page 3, line 19 by inserting after "authority," "in case the owner or custodian is absent or unable to direct such removal."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 951, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships and the provisions of the act relating to public parks recreation places and facilities and park and recreation boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 420 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 420 Supervisors if the electors of any township shall fail to choose a supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation removal from the township or otherwise the two remaining supervisors may appoint a succesor and upon their failure to make such appointment within thirty days after the vacancy occurs the court of quarter sesions shall appoint a successor upon the presentation of a

petition signed by a supervisor and not less than five registered electors in either case the successor so appointed shall hold the office [until the first Monday of January succeeding the first municipal election occurring at least sixty days after the office became vacant at which election a supervisor shall be elected] for the unexpired term when a vacancy is so filled by the two remaining supervisors they shall within fifteen days thereafter certify such appointment to the clerk of the court of quarter session

Section 2 Section 504 of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 540 Duties and Compensation The secretary in each township shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers in a minute book in which he shall also record all court orders relative to the laying out opening and vacating of roads The minute book account book and other financial records shall be carefully preserved by the seretary and shall be turned over to his successor in office Miscellaneous records and papers of the township other than the minute book and account book may be destroyed with the consent of the supervisors after the lapse of six years from the date of such records

The secretary shall prepare and write the annual tax duplicate of the township and shall receive such compensation therefor as shall be fixed by the township [auditors] supervisors The combined amount paid to the secretary and treasurer for services exclusive of the compensation for the preparation of the annual tax duplicate shall not exceed three per centum of the money paid out by the treasurer but it shall not be less than fifty dollars and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

Section 3 Section 545 of said act as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 805) and as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby reenacted to read as follows

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current year authorized in section 515 and 540 hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officer whose act error or omission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive six dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 4 Subsection A of section 590 of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) is hereby further amended to read as follows

Section 590 Petition for Appointment of Police Contracts for Police Services A Upon the petition of not less than twenty-five registered electors or taxpayers of any township or of two or more adjacent townships representing that the safety of the citizens and the security of property make it necessary for the appointment of one or more policemen the supervisors of such township or townships shall consider said petition and if satisfied of the reasonableness and propriety of said application shall appoint one or more registered electors who shall be residents of the Commonwealth to act as policemen and to serve at the will of said supervisors

The supervisors of such township or townships shall fix the number of policemen the compensation of such policemen and shall limit the term of service of said policemen as it may deem proper Where such policemen are appointed for two or more townships the supervisors of such township shall fix the amount of compensation which shall be paid by each of such townships Such compensation shall be paid from the general township fund The supervisors of the township or townships may assign any policemen with his consent to undergo a course of training at any training school for policemen established and made available by the State or Federal Government and may provide for the payment by the township of his expenses or a part thereof while in attendance in such training school

* * * * *

Section 5 Clause VIII of section 702 of said act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

VIII Garbage Regulations To regulate or prohibit the dumping or otherwise depositing of garbage and rubbish within the township To prohibit accumulations of garbage and rubbish upon private property including the imposition and collection of reasonable fees and charges for the collection and removal thereof They shall also have power to

(1) provide by contract or otherwise for the collection removal and disposal through incinerating works garbage plants or otherwise of ashes garbage and rubbish and to prescribe penalties for the enforcement thereof any such contract may be made for a period not exceeding three years To erect maintain and operate garbage or incinerating plants either within or without the limits of the township in order to provide for the destruction of garbage and other refuse material and to provide for the payment of the costs and expense thereof either in whole or part out of the funds of the township and to acquire and to maintain lands and places for the dumping of ashes and other refuse material or in the absence of such collection removal and disposal plan for the entire township the supervisors shall

(2) on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition either with township employes and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The Supervisors shall levy a per capita assessment upon all adult residents of any such village sufficient to defray the cost of such removal and disposal Such assessment

shall be collected in the same manner as per capita taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such assessments collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

* * * * *

Section 6 Clause XXIV of section 702 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXIV Regulations of Parking To regulate parking and provide parking accommodations so as to promote the convenience and protection of the public The supervisors shall also have power to erect parking meters and to regulate parking meter charges

* * * * *

Section 7 Clause XXVIII of Section 702 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1185) is hereby further amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific funds is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund in addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXVIII Abandoned [or Neglected] Cemeteries Whenever any cemetery or burial ground incorporated or unincorporated is [being neglected although occasionally used for burial purposes] abandoned the court of quarter sessions of the county upon petition of twenty-five residents of the township wherein such cemetery is located may direct title thereof to be transferred to the township and the supervisors to care for such cemetery at a cost of not more than [sixty] one hundred dollars in any one year [and the] The supervisors shall expend moneys from the general township fund for such purpose Such cemetery shall remain open to the public [as may be directed by the court] under the regulation and control of the supervisors

* * * * *

Section 8 Clauses XXXII and XL of Section 702 of said act as added by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XXXII Fire Prevention To make regulations by ordinance relative to the cause and prevention of fires Such ordinances may adopt any standard fire prevention code published and printed in book form covering the above items without incorporating such code in the ordinance or any township may enact such fire prevention code as its ordinance authorized under the provisions of this clause In either event such code shall not be published or advertised in full as provided by this section in the case of the adoption of ordinances Notice of the adoption of such standard fire prevention code as the fire prevention ordinance of the township together with a brief summary thereof setting forth the principal provisions of said ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Pennsylvania State Police and a reference to the place or places within the township where copies of the code adopted are deposited and may be examined shall be published in the manner provided by this section for the publication of ordinances Not less than three such copies shall be made available to public inspection and use during business hours for a period of not less than three months after the adoption of such fire prevention code

* * * * *

XL Joint Municipal Agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in cooperating with other political subdivisions in promotion of the health of the citizens and residents of the township and other political subdivisions and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to all such political subdivisions

* * * * *

Section 9 Clause XLVII of Section 702 of said act as added by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors Where no specific authority is given for the expenditures incident to the exercise of any power hereinafter conferred or where no specific fund is designated from which such expenditures shall be made appropriations for such expenditures shall be made only from the general township fund In addition to the duties imposed upon them by section 516 hereof they shall have power

* * * * *

XLVII Public Safety To take all needful means for securing the safety of persons or property within the township including the control of disorderly practices

* * * * *

Section 10 Subsection A of Section 905 of said act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) and as last amended in part by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1562) and the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 905 Township and Special Tax Levies A The board of township supervisors may by resolution levy taxes upon all real property and upon all occupations or upon real property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified All taxes shall be collected in cash

1 An annual township tax for road bridge and general township purposes not later than the fourth Monday of March of each year not exceeding nine mills [except where necessary to pay existing indebtedness and interest thereon in which case not more than two additional mills may be levied] Where the board of supervisors by a majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional

millage the court after such public notice as it may direct and after hearing may order a greater rate than [eleven] nine mills but not exceeding five additional mills to be levied Such annual township tax shall include all levies for road bridge and general township purposes [and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for such purposes Not less than ten per centum of the annual township tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for such purposes for the payment of which indebtedness no provision has been made]

2 Upon receipt of a petition of a majority of the owners of real estate of the township requesting it an annual tax not exceeding five mills for the purpose of lighting the highways roads and other public places in the township in the manner provided by the general powers of this act and of defraying the cost charges and expenses thereof Nothing contained herein shall require a petition of owners of real estate in any township which is now lighting its streets and imposing taxes under this subsection for such purposes

3 An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for the township tax for the purpose of procuring a lot and erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith Provided The total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township

4 A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but no new fire apparatus shall be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided

5 A tax not exceeding two mills for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

6 A tax not exceeding two mills for the purpose of maintaining and operating parks playgrounds playfields gymnasiums public baths swimming pools and recreation centers as hereinafter provided

7 An annual tax sufficient to pay interest on indebtedness and sinking fund charges

* * * * *

Section 11 Section 1901 of the act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 1901 [Designation and] Acquisition of Lands and Buildings The supervisors of any township may by ordinance separately or jointly designate and set apart for use as parks playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers hereinafter called [recreation places] public parks recreation areas and facilities any lands or buildings owned by such township and not dedicated or devoted to other public use Such township may in such manner as may be authorized or provided by law for the acquisition of lands or buildings for public purposes in such township acquire lands or buildings therein for any of such purposes or construct and equip new facilities upon such lands or if there be no law authorizing such acquisition the township supervisors may acquire lands or buildings for such purposes by gift or purchase or may lease lands or buildings in such township for temporary use for such purposes Whenever the supervisors designate or acquire any lands with or without buildings under the provisions of this section except when the acquisition is under a lease for temporary use they may construct buildings and facilities thereon for the purposes herein indicated

Section 12 Sections 1902 1903 1904 1905 1906 and 1907 of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 1902 Creation of Park and Recreation Boards The authority to equip supervise and maintain [such recreation places] parks recreation areas and facilities and to conduct recreation programs may be vested in any existing body or board or in a park board or recreation board as the township supervisors may determine The supervisors may equip operate and maintain such [recreation places] parks recreation areas and facilities as authorized by this article Such supervisors may for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper If the supervisors shall determine that the power to equip operate and maintain parks recreation areas and facilities shall be placed in a recreation board such board shall possess of the powers and be subject to all the responsibilities of the board of supervisors under this article The recreation board shall with the approval of the board of supervisors exercise its powers and duties in establishing standards policies qualifications and salary schedules for all classifications or recreation employes Whenever boroughs cities counties townships school districts or any of them develop a cooperative plan of recreation service with a township the township recreation board shall have the power to adjust its established personnel standards policies qualifications and salary schedules to meet the terms of a joint operation agreed upon

Section 1903 [Appointment of Park and Recreation Boards] Composition of Park or Recreation Boards [If the township supervisors shall determine that the power to equip operate and maintain such recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board Either of such] Park or recreation boards when established shall consist of five or seven persons and when established in a township having a school board two of the members shall be members or appointees of the school board The other members of such boards shall be appointed by the supervisors and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of [one member] not more than two members shall expire annually thereafter Members of such board shall serve without pay [Women shall be eligible for appointment] All persons appointed shall serve their full terms unless voluntarily resigned or removed by the supervisors for dereliction or neglect of duty Vacancies in such board occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 1904 [Officers of Board] Organization of Park or Recreation Board Powers and Duties Delegated to the Board by the Supervisors The members of a park board or recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year [and may with the prior approval of the supervisors employ such persons as may be needed as authorized by this article] Such boards shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction Their jurisdiction shall include the right to select employ and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to the township supervisors including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met

Section 1905 [Joint Municipal Acquisitions] Joint Ownership and Maintenance Any township may jointly with any one or more townships boroughs and cities acquire property for and operate and maintain any [such recreation places] parks and public recreation areas and facilities Any school district may join with the township in equipping operating and maintaining parks public recreation areas and facilities and may appropriate money therefor

Section 1906 Bond Issues The township supervisors may issue bonds for the purpose of acquiring lands or building for [such recreation places] parks public recreation areas and facilities and for the equipment thereof

Section 1907 [Cost of] Maintenance and Tax Levy [Annual Tax Levies] All expenses incurred in the operation of such [recreation places] parks recreation areas and facilities established as herein provided shall be payable from the general township fund or from the treasury of such township borough city county or school district as may be provided for by the agreement of the corporate authorities The supervisors may annually appropriate an amount necessary for carrying out the provisions of this act and may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaing equipping and operating [such recreation places] the parks recreation areas and facilities and the programs thereon

Section 13 Article XIX of the act as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding thereto immediately after section 1907 two new sections to read as follows

Section 1907.1 Plan of Parks Recreation Areas and Facilities Every township shall have a general plan of its parks recreation areas and facilities including those which may have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township All subdivisions of property thereafter made shall conform thereto The location of parks recreation areas and facilities laid out and confirmed by the township supervisors shall not afterwards be altered without the consent of the supervisors and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the township until approved by the township supervisors

No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located park or recreation area after the same shall have been located or ordained by the township supervisors

Section 1907.2 Lands for Planned Parks and Recreation Areas to be Appropriated Within Three Years Whenever any park parkway or recreation area may hereafter be superimposed upon the confirmed plan of the streets parks and recreation areas of any township in the sections not entirely built up by ordinance of the township unless an ordinance actually appropriating the land within the lines of said park parkway or recreation area to public use is duly passed by the township supervisors or the land is acquired by the township supervisors within three years from the passage of the ordinance superimposing the plan upon the land the ordinance superimposing the plans upon the land shall be void and of no effect and the plan shall be automatically removed from the land as if it had never been placed thereon nor shall any plan again be superimposed on the said land without an accompanying ordinance condemning it to public use

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1003, Printer's No. 187,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1060, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests and defining membership of county boards of elections imposing duties upon the Secretary

of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the filing fees for judges in Philadelphia and the number of signers and filing fees for magistrates in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of Section 912 and subsection (b) of Section 913 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and sonsolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 302) are hereby further amended to read as follows

Section 912 Number of Signers Required Nomination Petitions of Candidates at Primaries Shall Be Signed

* * * *

(d) If for the office of Representative in the General Assembly or for the office of member of the State committee or an office to be voted for by the electors of the entire county or an office to be voted for by the electors of an entire city or for the office of district councilman in a city of the first class by at least one hundred registered and enrolled members of the proper party except for the office of magistrate in cities of the first class in which case it must be signed by at least [three thousand] two hundred registered and enrolled members of the proper party

Section 913 Place and Time of Filing Nomination Petitions Filing Fees

* * * * *

(b) Each person filing any nomination petition shall pay for each petition at the time of filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order or also by cash when filed with the county board Whenever a petition is to be filed with the county board the person filing the same shall pay the filing fee in cash or by a certified check or money order to the county board All moneys paid on account of filing fees shall be transmitted by the county board to the county treasurer and shall become part of the General Fund Certified checks or money orders in payment of filing fees shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars ($50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large judges in the City of Philadelphia and associate judge the sum of thirty-five dollars ($35.00)

2.1 If for the office of judge of a court of record in the City of Philadelphia the sum of two hundred dollars ($200)

3 If for the offices of senator or representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector or county auditor in counties of the eighth class the sum of twenty-five dollars ($25.00) if for the office of jury commissioner or associate judge the sum of ten dollars ($10.00) if for the office of county auditor in counties of the eighth class the sum of five dollars ($5.00) if for the office of prison inspector the sum of two dollars ($2.00) if for the office of district councilman in a city of the first class the sum of twenty-five dollars ($25.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) except for the office of magistrate in cities of the first class in which case the fee shall be two hundred dollars ($200) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

4 If for any borough town township of the first class school district or poor district office not otherwise provided for the sum of two dollars ($2.00)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars ($10.00)

8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)

Provided however That no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public officer in any township of the second class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adam,	Goodling,	McCullough,	Seyler,
Alexander,	Gramlich,	McDermit,	Shoemaker,
Amarando,	Guss,	McGee,	Shotwell,
Andrews,	Gutendorf,	McInroy,	Smith, W. B.,
Auker,	Guthrie,	McWherter,	Snider,
Barkdoll,	Hall,	Metz,	Spencer,
Baumunk,	Hamilton, R. K.,	Mihm,	Stank,
Bazin,	Hamilton, W. H.,	Mikula,	Stevenson,
Bear,	Harris,	Miller,	Stone,
Blair,	Haudenshield,	Mills,	Stoner,
Boles,	Helm,	Monroe,	Strausser,
Bomberger,	Hersch,	Moody,	Sucher,
Boory,	Hewitt,	Moore,	Taylor,
Bower,	Hocker,	Moran,	Thomas,
Breisch,	Hoggard,	Muldowney,	Thompson,
Breth,	Ide,	Munley,	Toll,
Brown,	Jenkins,	Murray, J. J.,	Tompkins,
Bucchin,	Jim,	Murray, P. G.,	Toomey,
Bullen,	Johnson,	Musto,	VanSant,
Capano,	Jones, Geo. E.,	Naugle,	Varallo,
Cianfrani,	Jones, Gran'le E.	Needham,	Varner,
Cioffi,	Jones, Paul F.,	Ogilvie,	Vaughan,
Clapper,	Jump,	Olsen,	Verona,
Cochran,	Kamyk,	Parlante,	Wall,
Comer,	Keller,	Peifly,	Wallace,
Connelly,	Kent,	Peta,	Walsh
Conner,	Kohl,	Petrosky,	Wargo,
Cooper,	Kolankiewicz,	Pettigrew,	Waterhouse,
Coyle,	Kornick,	Pfaff,	Weidner,
Curwood,	Kratz,	Phillips,	Welsh,
Dougherty,	Kromer,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Readinger,	Willaredt,
Farabaugh,	Leven,	Reagan,	Williams,
Fenrich,	Light,	Reidenbach,	Wilt,
Ferster,	Limper,	Richter,	Wood,
Filo,	Lopresti,	Rosen,	Worley,
Flack,	Lutty,	Rovansek,	Yeakel,
Fleischman,	Maguire,	Royer,	Yetzer,
Floyd,	Mahan.	Rubin,	Young,
Flynn,	Markley,	Sarraf,	Zeitz,
Frost,	Mathews,	Schmidt,	Ziegler,
Geer,	Maxwell,	Schuster,	Smith, C. C., Speaker
Gibson,	McCann,	Schwartz,	
Glick,	McCormack,	Scott,	

NAYS—14

Ashton,	Davis,	Jones, T. H. W.,	Moscrip,
Banker,	DuBois,	Kerlin,	Ragot,
Bolton,	Gleason,	Lippincott,	Stimmel,
Buchanan,	Greenwood,	Lovett,	

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1152, as follows:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" are hereby amended to read as follows

An Act

Requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class and to supervisors of townships of the second class

Section 1 It shall be the duty of the recorder of deeds of every county except counties of the second class to furnish the township commissioner of each township of the first class and township supervisors of each township of the second class within the county a record of all transfers of property located within the township Such record shall show the name of the grantor and grantee and a description of the property as mentioned in the deed Such record shall be sent to the township commissioners or township supervisors as the case may be on or before the second Monday of each month

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Granville E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1175, as follows:

An Act to further amend Section 802 of the Act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an apropriation and providing for refunds" by authorizing ambulances to be equipped with two spot lamps

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 802 of the act approved the first day of May one thousand nine hundred

twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 802 Additional Permissible Lights and Devices

(a) Spot Lamps [Any] Except for any ambulance which may be equipped with not to exceed two (2) spot lamps any motor vehicle or motorcycle may be equipped with not to exceed one (1) spot lamp and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitehight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1197, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the secretary to suspend registrations of manufacturer's jobber's and dealer's in the dealer's class further regulating use of dealer's registration plates in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 412 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships

within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after subsection (a) thereof a new subsection to read as follows

Section 412 Registration Suspended

* * * *

(a.1) The secretary may suspend registrations in the dealer's class of any manufacturer jobber or dealer after a hearing before the secretary or his representative in any of the following cases

1 When it is determined by proper evidence that registrant is not lawfully entitled to registration in the dealer's class

2 The registrant has committed a fraud in the registration of motor vehicles trailers or semi-trailers

3 The registrant has failed to give notice of transfer of ownership when and as required by this act

4 The registrant has failed to deliver a transferee lawfully entitled thereto a properly assigned certificate of title

5 The registrant has habitually violated any of the provisions of this act

Section 2 Section 502 of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

Section 502 Use of Manufacturer's Jobber's and Dealer's Registration Plates Limited Registration plate or plates issued in the "Dealer's Class" may be used on any motor vehicle trailer or semi-trailer owned or in the possession of a manufacturer jobber or dealer and operated by such manufacturer jobber or dealer or the employe of such manufacturer jobber or dealer when such motor vehicle trailer or semi-trailer is used (a) in the motor vehicle business of such manufacturer jobber or dealer (b) for the personal pleasure of such manufacturer jobber or dealer or the members of his family when operated by such manufacturer jobber or dealer or an immediate member of his family or when such manufacturer jobber or dealer is a corporation for the personal pleasure of not more than three officers thereof who are actively engaged in its business or the members of their families or for the personal pleasure of the regular employes of such manufacturer jobber dealer or corporation when operated by such employe (c) for teaching a new operator how to operate a motor vehicle if such new operator has procured a learner's permit and for such new operator to take an examination for an operator's license (d) for testing motor vehicles trailers or semi-trailers in the possession of such manufacturer jobber or dealer or (e) for demonstrating motor vehicles trailers or semi-trailers in the possession of such manufacturer jobber or dealer and such vehicles may be operated by a prospective purchaser when licensed as an operator or permittee and when accompanied by the manufacturer jobber or dealer or an employe of such manufacturer jobber or dealer Provided That a person entitled to dealer registration under clause (3) of the definition of "dealer" in section one hundred two of this act may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business [and a person entitled to dealer registration under clause (5) or (6) of said definition may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes] and a person entitled to dealer registration under clause (7) of said definition may only use dealer's registration plates in direct connection with his own repair business for repairing servicing or delivering his own vehicles Provided further That in no event shall manufacturer's jobber's or dealer's registration plates be used for any purpose other than as limited in this section

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. MUSTO. Mr. Speaker, I want to know how the gentleman from Luzerne, Mr. Wallace, on the Republican side of the House voted.

The SPEAKER pro tempore. The gentleman states he voted "aye."

BILL PASSED OVER

There being no objection,

House Bill No. 1206, Printer's No. 211,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1212, as follows:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every legal instrument heretofore executed by a fiduciary which sets forth in the body of the instrument the fiduciary capacity of the person executing the instrument and which has been executed in the manner prescribed by law in all respects except that in the signing or acknowledgment of the instrument or both the fiduciary capacity was not indicated is hereby made as good and valid and of the same effect as if property executed by the fiduciary

Section 2 The provisions of this act shall not apply to any matter heretofore adjudicated by a court of competent jurisdiction

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1215, as follows:

An Act to amend Section 830 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining the term "log" as used in provisions requiring that logs carried on certain vehicles and trailers be securely fastened

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 830 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships

within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1896) is hereby amended to read as follows

Section 830 Vehicles and Trailers Loaded with Logs It shall be unlawful to operate on any highway or street in this Commonwealth any motor vehicle commercial motor vehicle or truck tractor or any motor vehicle commercial motor vehicle or truck tractor in combination with a trailer or semi-trailer and loaded with logs [of any size] unless the logs are securely fastened with at least three binders chains or straps

As used in this section the term "log" shall mean a bulky peace of unshaped timber at least eight (8) feet in length and eight (8) inches or more in diameter at the small end

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1217, Printer's No. 213,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 9, as follows:

An Act to further amend subsection C of section 1009 and section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunites of such corporatons of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by changing the limitations on the amount which may under certain circumstances be invested in title insurance companies and by making further provision concerning the effect of merger or consolidation of banking institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of section 1009 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporatons of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other

corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 762) is hereby further amended to read as follows

Section 1009 Limitation upon Investing in Shares

* * * *

C Any bank and trust company may in exchange or in consideration for such assets and property as comprised its title insurance business take and hold the shares of any corporation organized and existing under the laws of this Commonwealth for the purpose of conducting a title insurance business and in addition thereto purchase additional shares in the same [company] corporation Provided That the total amount invested in such corporation shall not exceed a sum equal to ten per centum of the capital and surplus of such bank and trust company [but in no event in excess of] or twice the minimum amount of capital and paid in surplus required for the incorporation of such company under the laws of this Commonwealth whichever is the less or with the prior approval of the department a larger sum not in excess of fifteen percentum of the capital and surplus of such bank and trust company and provided that such shares shall not except with the written approval of the department be entered upon its books at an amount greater than the amount at which the assets and property which comprised its title insurance business were theretofore entered upon its books plus the amount paid for any additional shares acquired as herein permitted Any bank and trust company may hold shares of such [company] corporation received by it as a dividend payable in shares of such [company] corporation

Section 2 Section 1408 of the said act as amended by the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 211) is hereby further amended to read as follows

Section 1408 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several corporations parties to the plan of merger or consolidation shall be a single incorporated institution which in the case of a merger shall be that incorporated institution designated in the plan of merger as the surviving incorporated institution and in the case of a consolidation shall be the new incorporated institution provided for in the plan of consolidation In the case of a merger the surviving incorporated institution and in the case of a consolidation the new incorporated institution shall be considered the same business and corporate entity as the several corporations parties to the plan of merger or consolidation and the corporate existence of each of the several corporations parties to the plan of merger or consolidation shall be merged into and continued in the surviving incorporated institution in the case of a merger and in the new incorporated institution in the case of a consolidation The surviving or new institution as the case may be shall not thereby acqure authority to engage in any business or exercise any right which is forbidden to a bank a bank and trust company a trust company or a savings bank as the case may be when originally incorporated under this act The surviving or new incorporated institution shall be subject to all the restrictions limitations or duties imposed upon such incorporated institutions when originally incorporated under this act provided that no provision contained in this section or in any other section of this act shall be construed to forbid a surviving or new corporation as the case may be from engaging in any business or exercising any right which a corporation organized under the laws of this Commonwealth and a party to the plan of merger or consolidation could lawfully engage in or exercise immediately prior to the effective date of the merger or consolidation All the property real personal and mixed of each of the corporations parties to the plan of merger or consolidation and all debts or obligations due to any of them including subscriptions to share and other choses in action belonging to either or any of them shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution as the case may be without further act or deed The surviving or new incorporated institution shall henceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated but the liabilities of the merging or consolidating corporations or of their shareholders directors trustees or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such corporations or any liens upon the property of such corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new incorporated institution may be proceeded against or substituted in its place In the case of a merger the articles of incorporation of the surviving incorporated institution shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statement set forth in the articles of consolidation and which are required or permitted to be set forth in the articles of incorporated institutions formed under this act shall be deemed to be the articles of incorporation of the new incorporated institution The aggregate amount of the net assets of merging or consolidating banks banks and trust companies trust companies or national banking associations which was available for the payment of dividends immediately prior to such merger or consolidation shall continue to be available for the payment of dividends by such surviving or new incorporated institution except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise or to surplus or reserve

The aggregate amount of the net assets of merging or consolidating savings banks which was available for the payment of interest or dividends immediately prior to such merger or consolidation shall continue to be available for the payment of interest or dividends by the surviving or new savings bank except for any portion thereof which has been transferred to surplus reserve or the expense fund

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,

Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, O. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 16, as follows:

An Act to amend Sections 31 and 32 of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 427) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" by permitting the trial of cases of involuntary manslaughter in quarter sessions courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 31 and 32 of the act approved the thirty-first day of March one thousand eight hundred sixty (P. L. 427) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" are hereby amended to read as follows

Section 31 The courts of oyer and terminer and general jail delivery shall have power—

I To inquire by the oaths and affirmations of good and lawful men of the county of all crimes committed or triable in such county

II To hear determine and punish the same and to deliver the jails of such county of all prisoners therein according to law

III To try indictments found in the quarter sessions and certified by the said court according to law and the said courts shall have exclusive jurisdiction and power to try and punish all persons charged with any of the crimes herein enumerated which shall be committed within the respective county to wit

1 All persons charged with any murder [or manslaughter] voluntary manslaughter or other homicide except involuntary manslaughter when such crime is the only homicide with which a person is charged and all persons charged with being accessory to any such crime

2 All persons charged with treason against the Commonwealth

3. All persons charged with sodomy buggery rape or robbery their counsellors aiders and abettors

4 All persons charged with the crime of voluntary and maliciously burning any building or other thing made punishable in the same manner as arson

5 All persons charged with mayhem or with the crime of cutting off the tongue puting out the eye slitting the nose cutting off the nose cutting off a lip cutting off or disabling any limb or member of a person by lying in wait or with malice aforethought and with intent in so doing to main or disfigure such person and their aiders and abettors and counsellors

6 All persons charged with burglary

7 Every woman who shall be charged with having endeavored privately either by herself or the procurement of others to conceal the death of any issue of her body male or female which if it were born alive would be by law a bastard so that it may not be known whether such issue was born dead or alive or whether it was murdered or not

8 All persons charged with the second or any subsequent offense of receiving harboring or concealing any robber burglar felon or thief or with the crime of receiving or buying any goods or chattels which shall have been feloniously taken or stolen knowing the same to be so taken or stolen

Section 32 The courts of quarter sessions of the peace shall have jurisdiction and power within the respective counties—

I To inquire by the oaths or affirmations of good and lawful men of the county of all crimes misdemeanors and offences whatsoever against the laws of this Commonwealth which shall be triable in the respective county

II To inquire of hear determine and punish in due form of law all such crimes and misdemeanors including involuntary manslaughter when such crime is the only homicide with which a person is charged and offences whereof exclusive jurisdiction is not given as aforesaid to the courts of oyer and terminer of such county

III To take in the name of the Commonwealth all manner of recognizances and obligations heretofore taken and allowed to be taken by any justice of the peace and they shall certify such as shall be taken in relation to any crime not triable therein to the next court of oyer and terminer having power to take cognizance thereof

IV To continue or discharge the recognizance and obligations of persons bound to keep the peace or to be of good behaviour taken as aforesaid or certified into such court by any justice of the peace of such county and to inquire of hear and determine in the manner hitherto practiced and allowed all complaints which shall be found thereon

V The courts of quarter sessions shall also have jurisdiction in cases of fines penalties or punishments imposed by any act of assembly for offences misdemeanors or delinquencies except where it shall be otherwise expressly provided and enacted

VI The said courts shall also have and exercise such other jurisdiction and powers not herein enumerated as may have been heretofore given to them by law

Whenever any indictment shall be found in any court of quarter sessions for any crime or offence not triable therein it shall be the duty of said court to certify the same into the court of oyer and terminer next to be holden in such county there to be heard and determined in due course of law

The judges of the county courts of oyer and terminer and quarter sessions and every of them shall have power to direct their writs or precepts to all or any of the sheriffs or other officers of any of the counties cities boroughs or towns corporate of this Commonwealth to arrest and bring before them persons indicted for felonies and other offences and amenable to the respective court each of said courts shall have power to award process to levy and recover such fines forfeitures and amercements as shall be imposed taxed or adjudged by them respectively each of the said courts shall have full power and authority to estalish such rules for regulating the practice thereof respectively and for expediting the determination of suits

causes and proceedings therein as in their discretion they shall judge necessary or proper Provided That such rules shall not be inconsistent with the constitution and laws of this Commonwealth each of the said courts is empowered to issue writs of subpoena under their official seal into any county of this Commonwealth to summon and bring before the respective court any person to give testimony in any cause or matter depending before them under the penalties hitherto appointed and allowed in any such case by the laws of this Commonwealth

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. SCHMIDT. Mr. Speaker, I find it necessary to express opposition to the passage of this bill.

This bill, for the information of the Members of the House, provides that where one is charged with the crime of involuntary manslaughter which has arisen out of the negligent operation of an automobile—that is what it actually means—that this type of an involuntary manslaughter case may be tried in the Court of Quarter Sessions rather than in the court of Oyer and Terminer.

For those Members of the House who are not members of the legal profession and not familiar with those two terms, I might say to you that the Court of Oyer and Terminer is a court in which felonies and serious crimes are tried and in which, under the rules of the court, additional rights in the choice of the members of the jury are extended to the defendant. In other words great precaution is taken that in the trial of a case involving a homicide, involuntary manslaughter; every safeguard is given the defendant in his trial.

In the Court of Quarter Sessions, which deals with minor crimes such as assault and battery and misdemeanors of that nature, these same precautions are not taken.

Having tried cases of involuntary manslaughter, particularly arising out of the operation of motor vehicles, I feel this type of crime is of such a serious nature that rather than remove the safeguards we now have, insofar as choice of jurors is concerned, we should consider the serious nature of the crime and maintain the same protection we now maintain in the trial of manslaughter cases.

You and I know that people of good social standing, people who are law-abiding citizens sometimes become involved in automobile accidents that may result in death to someone, and they are therefore susceptible to trial of an involuntary manslaughter nature.

I say to you that is of such magnitude and such importance to persons charged with that crime that you should not remove any of the protections that are now given to them in the selection of jurors. I ask you to consider the serious nature of this crime.

From the time of this Commonwealth up to the present time, we felt the importance of this crime and the seriousness of it, and let us not remove those restrictions.

I ask you in all fairness to anyone who may be charged with such a crime that he be given the same safeguards, whether the crime of involuntary manslaughter arise out of the perpetration of a murder or in the operation of a motor vehicle.

The number of the bill, for those who may not be acquainted with it, is Senate Bill 16, Printer's No. 164, and I ask you to vote "No" on this bill.

Mr. TOMPKINS. Mr. Speaker, in connection with this bill, about the only thing I can say on it is the information which came to my hands from the Chairman of the Judiciary Committee and one of the sponsors of the bill.

It amounts, to this, that instead of getting twenty preemptory challenges, as we call them in the trial of a case on a voluntary or involuntary manslaughter charge, you would only be allowed four preemptory challenges. In other words what Mr. Schmit is trying to say is that there are a great deal more challenges that you are allowed without cause on the trial of such a case.

But the number of cases arising from automobile accidents is such—and we amended the bill to rule out that the man cannot be brought back where he has been previously charged with a higher degree of homicide than under this bill. There was considerable concern about that, that a man might be tried for murder and brought back on an involuntary manslaughter charge and he would lose those rights. We ruled that out and made it entirely an involuntary manslaughter situation, which reduces the number of challenges from twenty to four, and it expedites the business of the court.

There is no indication of any kind that anybody is going to be subject to any particular harm. They will still get their trial by jury. They will still be tried in the county in which the offense took place. It is merely a question of trying to speed the work of the courts in cases of this nature.

It is a good bill, and I will ask the Members to vote for it.

Mr. SCHMIDT. Mr. Speaker, I too am interested in expediting the work of the courts. I know that our courts are jammed up with work ,but an involuntary manslaughter case, a case in which the defendant is charged with the unwarranted death of a person who has been killed by an automobile, is of such a serious nature that it should not be tried with speed, and take away from the man the protection he now has under the law insofar as jury challenges are concerned.

I had occasion just a year ago to defend a gentleman who was charged with the crime of involuntary manslaughter arising out of the operation of his automobile. The case took three days to try, and after the case was tried for three days, the jury was out for a day and could not arrive at a verdict, so we must retry that case.

That case was of such importance to the defendant that if he were found guilty, not only would it subject him to the penalties prescribed for involuntary manslaughter, but he would also lose the right to operate his automobile for a year. It so happened that his livelihood depended upon the operation of that automobile. It also would have meant that in the community in which he resided he would have been stigmatized with having been one who committed an unlawful homicide upon a fellow citizen.

I say to you it is of great importance to a defendant. It may happen to your boy or to my boy in the operation of an automobile. It may happen to your wife or my wife. It may happen to you or to me. If we are charged with the crime of involuntary manslaughter I feel that is of such a serious nature that we should not treat it in

the same light as we treat assault and battery or some other minor misdemeanor.

Mr. TOLL. Mr. Speaker, I am going to vote for this bill because I am not so sure that it is an advantage to have this type of case tried in the Court of Oyer and Terminer and General Jail Delivery where murder cases are tried and where the jurors who usually are called on the largest panel that you can get in a murder case, who hear severe and important murder cases from day to day for possibly a period of three weeks. I am not so sure that it is not an advantage for a man who has had an accident and killed somebody accidentally to have his case tried in a court where they try assault and battery cases and minor crimes. It would seem to me that might be to the benefit of the defendant and the jury would not treat it as seriously as they would a case which was called in the same court as they call the more serious crimes.

Under the conditions I think that it is possibly an advantage to have a smaller number of jurors and for the case to be tried in a court where cases are considered not so serious.

For that reason I am going to vote for it.

Mr. TOMPKINS. Mr. Speaker, in order to eliminate any confusion that might exist in the minds of the Members regarding speediness of the trial, this bill will not speed up the trial itself. The trial will take just as many days as the testimony of the case involves. All this does is speed up the selection of the jury for that trial. It has nothing to do with the speeding up of the trial whatsoever. He is still tried by a jury of twelve men, and they have to bring in the same kind of verdict. I want to make that distinction. It has nothing to do with the speed-up of the trial at all, it only speeds up the selection of the jury.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—98

Andrews,	Goodling,	Mathews,	Shotwell,
Ashton,	Gutendorf,	McCormack,	Spencer,
Barkdoll,	Guthrie,	McCullough,	Stank,
Baumunk,	Hall,	McDermit,	Stevenson,
Bear,	Hamilton, W. H.,	McInroy,	Stoner,
Blair,	Helm,	McWherter,	Strausser,
Bolton,	Hewitt,	Metz,	Sucher,
Bomberger,	Hocker,	Miller,	Thomas,
Bower,	Jenkins,	Moore,	Toll,
Breisch,	Jim,	Munley,	Tompkins,
Breth,	Johnson,	Murray, J. J.,	Toomey,
Brown,	Kamyk,	Murray, P. G.,	VanSant,
Buchanan,	Keller,	Naugle,	Wall,
Bullen,	Kent,	Petrosky,	Waterhouse,
Clapper,	Kerlin,	Pfaff,	Weidner,
Connelly,	Kohl,	Phillips,	Wheeler,
Cooper,	Kolankiewicz,	Poltenstein,	White,
Davis,	Kratz,	Quisenberry,	Willaredt,
Downey,	Kubacki,	Readinger,	Williams,
DuBois,	Leisey,	Reagan,	Wood,
Ferster,	Light,	Royer,	Yeakel,
Fleischman,	Limper,	Sarraf,	Yetzer,
Frost,	Lippincott,	Schwartz,	Young,
Gibson,	Lopresti,	Shoemaker,	Ziegler,
Gleason,	Markley,		

NAYS—63

Amarando,	Greenwood,	Moody,	Scott,
Boles,	Guss,	Moran,	Seyler,
Beory,	Hamilton, R. K.,	Moscrip,	Smith, W. B.,
Bucchin,	Harris,	Musto,	Snider,
Cianfrani,	Hersch,	Ogilvie,	Stimmel,
Comer,	Ide,	Olsen,	Stone,
Conner,	Jones, T. H. W.,	Parlante,	Taylor,
Curwood,	Lafore,	Peifly,	Varallo,
Dougherty,	Lederer,	Pettigrew,	Varner,
Down,	Leonard,	Polaski,	Vaughan,
Dunn,	Leven,	Ragot,	Wallace,
Ewing,	Lutty,	Reidenbach,	Walsh
Fenrich,	Maguire,	Richter,	Welsh,
Filo,	McCann,	Rovansek,	Whitenight,
Floyd,	McGee,	Schmidt,	Wilt,
Geer,	Mihm,	Schuster,	

NOT VOTING—46

Adam,	Flynn,	Lovett,	Rubin,
Alexander,	Glick,	Mahan,	Thompson,
Auker,	Gramlich,	Maxwell,	Verona,
Banker,	Haudenshield,	Mikula,	Wargo,
Bazin,	Hoggard,	Mills,	Watkins,
Capano,	Jones, Geo. E.,	Monroe,	Wescott,
Cioffi,	Jones, Gran'le E.	Muldowney,	Whalley,
Cochran,	Jones, Paul F.,	Needham,	Worley,
Coyle,	Jump,	Peta,	Zeitz,
Erb,	Kline,	Polen,	Smith, C. C., Speaker
Farabaugh,	Kornick,	Price,	
Flack,	Kromer,	Rosen,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading, and consideration of Senate Bill No. 76, as follows:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article fourteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Geer,	Mahan,	Schmidt,
Alexander,	Gibson,	Markley,	Schuster,
Amarando,	Gleason,	Mathews,	Schwartz,
Andrews,	Glick,	Maxwell,	Scott,
Ashton,	Goodling,	McCann,	Shoemaker,
Auker,	Gramlich,	McCormack,	Shotwell,
Banker,	Greenwood,	McCullough,	Smith, W. B.,
Barkdoll,	Guss,	McDermit,	Snider,
Baumunk,	Gutendorf,	McGee,	Spencer,
Bazin,	Guthrie,	McInroy,	Stank,
Bear,	Hall,	McWherter,	Stevenson,
Blair,	Hamilton, R. K.,	Metz,	Stimmel,
Boles,	Hamilton, W. H.,	Mihm,	Stone,
Bolton,	Harris,	Mikula,	Stoner,
Bomberger,	Haudenshield,	Miller,	Strausser,
Boory,	Helm,	Mills,	Sucher,
Bower,	Hersch,	Monroe,	Taylor,
Breisch,	Hewitt,	Moody,	Thomas,
Breth,	Hocker,	Moore,	Thompson,
Brown,	Hoggard,	Moran,	Toll,
Bucchin,	Ide,	Moscrip,	Tompkins,
Buchanan,	Jenkins,	Muldowney,	Toomey,

Bullen,	Jim,	Munley,	VanSant,
Capano,	Johnson,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	Varner,
Cioffi,	Jones, Gran'le E.	Musto,	Vaughan,
Clapper,	Jones, Paul F.,	Naugle,	Verona,
Cochran,	Jones, T. H. W.,	Needham,	Wall,
Comer,	Jump,	Ogilvie,	Wallace,
Connelly,	Kamyk,	Olsen,	Walsh,
Conner,	Keller,	Parlante,	Wargo,
Cooper,	Kent,	Peifly,	Waterhouse,
Coyle,	Kerlin,	Peta,	Weidner,
Curwood,	Kohl,	Petrosky,	Welsh,
Davis,	Kolankiewicz,	Pettigrew,	Wescott,
Dougherty,	Kornick,	Pfaff,	Whalley,
Down,	Kratz,	Phillips,	Wheeler,
Downey,	Kromer,	Polaski,	White,
DuBois,	Kubacki,	Polen,	Whitenight,
Dunn,	Lafore,	Poltenstein,	Willaredt,
Erb,	Lederer,	Price,	Williams,
Ewing,	Leisey,	Quisenberry,	Wilt,
Farabaugh,	Leonard,	Ragot,	Worley,
Fenrich,	Leven,	Readinger,	Yeakel,
Ferster,	Light,	Reidenbach,	Yetzer,
Filo,	Limper,	Richter,	Young,
Flack,	Lippincott,	Rosen,	Zeitz,
Fleischman,	Lopresti,	Rovansek,	Ziegler,
Floyd,	Lovett,	Royer,	Smith, C. C., Speaker
Flynn,	Lutty,	Rubin,	
Frost,	Maguire,	Sarraf,	

NAYS—3

Reagan,	Seyler,	Wood,

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 136, as follows:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" by specifying in more detail the authority of recorders of deeds in certain instances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" as last amended by the act approved the ninth day of May one thousand nine hundred forty-seven (P. L. 185) is hereby further amended to read as follows

Section 1 Be it enacted etc That the recorders of deeds in the several counties of this Commonwealth are hereby authorized and required to record all final discharges of all honorably discharged non-commissioned officers and persons who were duly enlisted and mustered into the armed forces of the United States or in any women's organization officially connected therewith and all certicates of service issued to commissioned officers upon termination of active service as aforesaid and as well as reports of separation from the armed forces of the United States known as DD Form 214 and similar forms delivered to members of the armed services upon their retirement or separation from active duty upon application being made to them by the holders thereof their agents attorneys or legal representatives for which the recorder shall be allowed a fee of fifty cents for recording the same which fee shall be paid by the county where such discharge is recorded upon the presentation to the county commissioners of proper vouchers by the recorder recording the same and the recording of the same shall not be subject to the payment of the usual State tax Provided That the provisions of this act relating to the fees of the recorder and the State tax shall not apply to holders of discharges who are not residents of this Commonwealth at the time of making their applications to the recorder for placing the same of record

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Worley,
Fenrich,	Light,	Reidenbach,	Wood,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 211, as follows:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (1951-52 P. L. 2182) entitled "An act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions" by extending the term of such commission until the end of the 1955 Session of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The existence of the temporary State commission created under the provisions of the act approved the twenty-first day of January one thousand nine hundred fifty-two (1951-52 P. L. 2182) entitled "An act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions" and the powers and duties granted such commission are hereby extended until the end of the 1955 Session of the General Assembly

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Granle E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 294, entitled:

An Act to further amend subsections (b), (c) and (e) of section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, owns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts, and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

On the question,

Will the House agree to the bill on third reading?

Mr. MORAN. I would ask that somebody explain just what this bill does.

Mr. JOHNSON. Mr. Speaker, the explanation to me of the bill was that it merely is a corrective measure concerning the word "district" which had previously been omitted. That is my explanation of it. It is a very simple bill, and to be frank we have not made too much of a study of it, but that is the way it was explained to us.

Mr. MORAN. Mr. Speaker, I would like to request that this bill be passed over for the time being.

BILL PASSED OVER

There being no objection House Bill No. 294, Printer's No. 69 was passed over at the request of Mr. MORAN.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GUTHRIE.

The House resumed the consideration on final passage of House Bill No. 626, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof,

owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townsships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties imposing certain costs on counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the length of tractors and combinations of vehicles; further limiting where informations charging violations of summary provisions of said act may be brought.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

The SPEAKER (Charles C. Smith) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Chester for being a very excellent Speaker pro tempore today. He worked very hard on the calendar.

PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address the House.

Mr. Speaker, the purpose of my statement is to inform any of those attending the fish fry this evening, if they are not familiar with just where the Blue Mountain Hotel is located I would like to make it clear that is is about six or seven miles out Front Street, in other words, Route 322 going toward Dauphin. About one block beyond Fort Hunter, turn right, and it is up that road about four miles. They cannot miss it if they go under the Rockview Bridge, past Fort Hunter, turn to the right, and if they do not watch closely they will miss the turn, but once they have made that turn, they are all set.

Of course, as you know, this dinner is sponsored by the Republican Members from Erie County, and the invitation is extended to all the Republican Members and employes of the House. We would have liked to invite all the minority, but the facilities are not such that we could feed them. So, we were only able to invite a few, and I hope that the ones who were not invited will realize that the only reason they are not invited is because we do not have the facilities for feeding.

We would certainly like to have them eat some of the finest fish in the world and get a chance to hob nob with their colleagues. I hope that you will all be there, and will try to see that you have plenty of fish.

The SPEAKER. The Chair is very happy that it is the facilities that are lacking and not the fish.

Mr. WATERHOUSE. Mr. Speaker, they are going to start eating at 7:30, so if as many as possible will be there by that tim,e, it will be appreciated, but if some are a little late we will still have fish.

I would like to make an amendment to my statement. If those who do not have transportation will be on the plaza in front of the main entrance, there will be cars available and any who are driving out and do not have a car full will they please swing by there and pick up anyone anytime from say 6:30 on.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 445, entitled:

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (Appropriation Acts 87) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three

And has appointed Messrs. WALKER, WOOD and BANE a committee of conference to confer with a similar committee of the House of Representatives, already appointed on the subject of the differences between the two Houses in relation to said bill.

BILL ON THIRD READING

Mr. MORAN. Mr. Speaker, I wish to withdraw my objection to Senate Bill 294, Printer's No. 69, on the last page of the calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 294, as follows:

An Act to further amend subsections (b) (c) and (e) of section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county instution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by clarifying the identity of certain taxing districts

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 4 of the act approval the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as last amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 314) is hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

* * * * *

(b) In boroughs towns and townships of the second class the elected tax collector shall be collector of borough town or township taxes as the case may be and of county [and] county institution district school district and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the

court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to the amount hereinbefore prescribed

Section 2 Subsections (c) and (e) of said section four of said act as amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 453) are hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

* * * * *

(c) In boroughs towns and townships of the second class the condition of the bond shall be that the collector as tax collector for the borough town or township as the case may be and for the county [and] the county institution district school district and vocational school district shall account for and pay over all taxes penalties and interest received and collected by him to the taxing districts entitled thereto

* * * * *

(e) The bond given by a borough town or township tax collector shall be for the use of the borough town or township as the case may be and for the county [and] the county institution district school district and vocational school district

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pettigrew,	Weidner,
Curwood,	Kornick,	Pfaff,	Welsh,
Davis,	Kratz,	Phillips,	Wescott,
Dougherty,	Kromer,	Polaski,	Whalley,
Down,	Kubacki,	Polen,	Wheeler,
Downey,	Lafore,	Poltenstein,	White,
DuBois,	Lederer,	Price,	Whitenight,
Dunn,	Leisey,	Quisenberry,	Willaredt,
Erb,	Leonard,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Wilt,
Farabaugh,	Light,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Worley,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lopresti,	Rosen,	Yetzer,
Flack,	Lovett,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C., Speaker
Frost,	Markley,	Schmidt,	
Geer,			

NAYS—1

Jones, T. H. W.,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 11, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Wednesday, May 20, 1953 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Wednesday, May 20, 1953 at three-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. SCHMIDT. Mr. Speaker, do I understand if the resolution is agreed to we will reassemble next week on Wednesday?

The SPEAKER. The Chair understands that is correct.

Mr. SCHMIDT. Mr. Speaker, I at this time rise in opposition to the resolution. It was my understanding, and I think the understanding of quite a number of the Members of the House, that a complete week would lapse next week, and that we would return the following week. Now, as I understand, we are going to come back here Wednesday. How long do you intend to stay in session next week?

Mr. ANDREWS. Mr. Speaker, if we would count the days wasted they would total more than the days worked.

My personal position is this: if the majority can turn up on next Wednesday with 105 Members in the House subject to the will of the Majority Leader, it can do

business and do business just as well as though we had 98 Members here in the House. If you do not have 105 Members next Wednesday and you propose legislation contrary to the views of the minority, it will not pass. So I would say to my colleagues on this side that if it is impossible for them to be here on Wednesday, that they pursue their ordinary pursuits and if the diligent Republicans show up 105—better make it 107 to be sure—show up with 105 or 107, that you go ahead just as fast as you can go. Trot out your stuff, if you have any. Perhaps after tomorrow you will be so exhausted that even though you pass this resolution to return here Wednesday, you will not be able to do it. If you do not pass it, you may have no plans for Wednesday.

So I say, let us adojurn until Wednesday and maybe by that time your minds will be clarified and by the following Monday the Democrats who are going to have such a strenuous time on Tuesday will have been rested and we will come here in all good fellowship to pull you out of whatever hole you happen to be into at that particular time.

Mr. JOHNSON. Mr. Speaker, everybody knows that the adjournment drive is on. We would like to be able to close up the business of this General Assembly at an early date.

As you have all read in the newspapers, the hotel situation will be very bad during the month of June and the first several weeks in July. We have every intention of trying to work through Friday of this week to move as many bills as possible. We want to come back here the following week after the Primaries and work. We cannot afford, if we are going to have an early adjournment of this House, to lose all of next week.

Therefore, it is our decision to come back next week, to work as hard as we can this week and try to bring about as early a termination of this session as possible. If we lose, shall I say, all of next week it will mean a week wasted and it will mean for sure that we will be here during the hot days of July and August, which is something none of us want to do. So, therefore, I ask the Members to support the resolution that we come back next week on Wednesday following the Primaries.

On the question recurring,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 422.

An Act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this and repealing certain acts" by increasing certain

SENATE BILL No. 423.

An Act to amend sections ten, fourteen and fifteen of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 616), entitled "An act defining, regulating and providing for the licensing and registration of employment agents, and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties, and repealing existing laws," by increasing certain fees.

SENATE BILL No. 424.

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by increasing certain fees

SENATE BILL No. 425.

An Act to further amend sections four, five and ten of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled, as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

SENATE BILL No. 426.

An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing certain fees.

SENATE BILL No. 427.

An Act to amend section five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by increasing certain fees.

SENATE BILL No. 428.

An Act to amend the act, approved the twenty-seventh day of May, one thousand nine hundred thirty-seven (P. L. 926), entitled "An act relating to the manufacture, repair, renovating, cleansing, sterilizing, and disinfecting of mattresses, pillows, bolsters, feather beds, and other filled bedding, cushions and upholstered furniture intended for sale or lease, and to the sale or lease thereof; requiring the placing of tag and adhesive stamp on such material; providing for the sale of adhesive stamps; authorizing and requiring the Department of Labor and Industry to adopt rules and regulations; providing penalties; and repealing certain acts," by increasing certain fees.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, although we on the Minority side of the House were not invited to the banquet tonight, I should like to inquire of the gentleman from Erie, Mr. Waterhouse, whether the main course would be crow or fish.

Mr. WATERHOUSE. Mr. Speaker, in answer to the gentleman and for his information, I have tried crow, although I do not like it, so we are going to have fish, the finest in the world.

I am sorry he is not going to be there. But I will, if he would like to have me do so, bring him back a sample, so that he will be sure that it was fish that we were eating.

COMMITTEE MEETINGS

AERONAUTICS—Mr. Greenwood, Chairman, Room 331, Wednesday, May 13, at 11:00 a. m. DST.

GAME AND FORESTRY—Mr. Goodling, Chairman, Room 331, Wednesday, May 13, at 11:30 a. m. DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Wednesday, May 13, at 10:30 a. m. DST—for purpose of holding a public hearing on Senate Bill No. 6.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Wednesday, May 13, at 10:00 a. m. DST.

ADJOURNMENT

Mr. CIANFRANI. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 13, 1953 at 11:00 a. m. EST.

The motion was agreed to, and (at 3:14 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., WEDNESDAY, MAY 13, 1953. No. 39

SENATE

WEDNESDAY, May 13, 1953

The Senate met at 2:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. L. HERMAN HARRIS, III, Rector of St. James Memorial Church, Titusville, offered the following prayer:

Let us pray.

Almighty God, who alone gavest us the breath of life, and alone canst keep alive in us the holy desire Thou dost impart, we beseech Thee, for Thy compassion's sake, to sanctify all our thoughts and endeavors, that we may neither begin an action without a pure intention nor continue it without Thy blessing.

Grant that, having the eyes of the mind open to behold things invisible and unseen, we may at heart be inspired by Thy wisdom, and in work be upheld by Thy strength and in the end be accepted of Thee as Thy faithful servants, through Jesus Christ, our Saviour. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

MAJOR GENERAL DANIEL B. STRICKLER, FORMER LIEUTENANT-GOVERNOR OF PENNSYLVANIA, PRESENTED TO SENATE

The PRESIDENT pro tempore. Gentlemen of the Senate, we are really honored today by having with us one of our most distinguished citizens, a former Lieutenant-Governor of Pennsylvania, and one of our most distinguished soldiers. At this time, I would like to have the former Lieutenant-Governor, General Strickler, come to the rostrum.

REMARKS BY MAJOR GENERAL STRICKLER

GENERAL STRICKLER. Members of the Senate, I am delighted to be able to come back to Pennsylvania, after having been away for so long, before I enter a new assignment with the Armed Forces. I go now to Washington where I will be on the Secretary of the Army's Review Board Council, to take care of certain matters that he refers to the board for review and study.

I, of course, often thought of Pennsylvania when I was in Europe. You will remember, several years ago I came up to say good-bye to you just before the 28th Division sailed for Germany. The experiences I have had over there have been really very gratifying. It is the first time since I have been in military service that I had the opportunity to be in Europe in so-called peace times where you can see how things operate, see the attitude of the German people, particularly, and see the cooperation that they are trying to get going with Germany, England, France, Holland, Belgium and the rest of the NATO Nations.

First, of course, our mission over there, in which you are interested, was of a military nature because this State sent out the 28th Division, some 10,000 Pennsylvania boys, to do that job over there. As one of the divisions of the Army over there, we immediately found that we had to be in battle position, ready within an hour's notice to stop the Russian forces if they crossed the frontier of the iron curtain line, which was just several miles away from us. It is one of altertness and it is still that way.

I am convinced that all of the money and the effort that we made in Europe has held in line the NATO Nations which are stemming the communistic tide. Whether or not we could stop an aggressive action on the part of the Russians and where, is a big question. However, I am convinced that the NATO Nations kept in our camp and prevented the communistic efforts within from joining the communistic cause.

The Pennsylvania boys are practically all back. I am one of the last ones to come back to America.

I would also like to pay tribute to my experience in Italy after I left the Division. Last fall, I was sent to Italy to be Chief of the Military Assistance Advisory Group, to work with the American Ambassador and the Italian government officials in putting across a rehabilitation program for Italy and the rebuilding of their Armed Forces.

While as President of the Senate here some years ago, I enjoyed the handling of figures of millions of dollars in connection with the budget, along with the rest of you. In Italy, where they had billions of dollars that had to be watched and used in a nation that was trying to come back and become a partner in the NATO cause, it was quite a job.

Our job was threefold. One was to give financial as-

sistance to help them come back economically, and also to get the equipment to do a job in case anything happened. We had to see that they knew how to use the equipment. If you remember, Italy was defeated by us, along with the Allies, and they had nothing left at the end of the war. Now we are trying to put back in their hands all the things necessary to handle as a part of an armed force. They must learn how to use it.

For instance, you might be interested to know that a tank is worth a quarter of a million dollars, $250,000. In a division they have about 110, which is over two billion dollars worth of just tanks alone. Those tanks have to be operated properly or that money is lost. Then comes the question of maintenance, how to keep them in repair and maintained. We must have people in Italy who know how to do it; otherwise, they ruin them in a couple days' time. It was our job to assist them and help them, to teach them and instruct them to use them properly.

As far as the Italian people are concerned, they have my high admiration for the extreme effort they have made to try to make good again as one of the partners of the NATO Nations. They have an experience of growing up in a parliamentary type of democratic government. They have to learn through their Chamber of Deputies and through their Senate, their parliamentary bodies, to act in democratic ways. They have many parties and, of course, they are somewhat like France, where the parties have to have a coalition in order to gain a majority to run the American system which they are trying to follow, or at least those in democratic countries.

It is interesting to note, however, that the Communists, of course, in Italy as in other countries, are always against anything that America tries to do. They oppose the American people's assistance if they can. However, the interesting thing is that if anything does go through that is for the good of the country, the Communists take credit for it and say that we forced the government to do it. If it fails, they say that it failed because they were not for it. That is the way they keep up the contention from time to time.

I think the thing that is more interesting to me than anything else is the fact that people of different nationalities are trying to get along, in spite of the language barriers and in spite of the fact that they have a strong nationalistic feeling in all nations over there. The coal and iron community project is now in force over there, whereby the countries of England, Germany, France and the Lowlands are trying to pool their interests economically so that everybody may get what is necessary for rebuilding an economic future.

I would like to take the time and tell you some of the things which I think might be of extreme interest to you. Sometime when I see you individually, I will be very glad to give you any impressions I may have gained.

Thank you very much for allowing me to appear.

The PRESIDENT pro tempore. General Strickler, we are having a party tonight, given by the Newspaper Correspondents, and if you wish to find out what happened during your absence, I would like to have you as my special guest. You will find out what we have been doing.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of this Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WOLFE. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 13, 1953.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Carmella Fusco, Pittsburgh, 819 Reedsdale St. (12
George D. Kelly, Baldwin Twp., Pittsburgh, 423 McNeilly Road (26).
Chris R. Vogeley, Dormont, Pittsburgh.
Mrs. Ruth J. Wallant, Pittsburgh, 2317 Tilbury St (17
Robert R. Wratcher, Pittsburgh, 805 Arrott Bldg.

BEAVER COUNTY

Miss Tessie Kryss, Harmony Twp., Ambridge.

CARBON COUNTY

Mrs. Ruth S. Thomas, East Mauch Chunk.

CENTRE COUNTY

Mrs. Virginia Reed, State College.

CLEARFIELD COUNTY

Mrs. Betty Radaker, DuBois.

ERIE COUNTY

Robert Snyderwine, Erie.

LACKAWANNA COUNTY

Welrose S. Colvin, Scranton.

PHILADELPHIA COUNTY

Miss Catherine M. Emery, 4639 Green St (44).
James L. Fiedler, 328 E. Girard Ave (25).
Rudolph H. Franklin, 2708 W. Girard Ave (30).
Jules Horen, 3440 Cottman Ave. (24).
Andrew J. Petrun, 121 South Broad St. (7).
Edwin E. Smith, 4000 "J" St (24).
Carl A. Wanjek, 23 South 23rd St (3).

WASHINGTON COUNTY

Robert R. Kenny, Monongahela.
Graham D. Lyle, East Bethlehem Twp., Fredericktown

WESTMORELAND COUNTY

Elmo B. Cecchetti, Arnold.
Mrs. Dorothy Gillingham, Greensburg.

JOHN S. FINE.

A motion was made by Mr. WOLFE and Mr. HARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McMenamin,	Wade,
Blass,	Kephart,	McPherson, Jr.	Wagner,
Camiel,	Kessler,	Miller,	Walker,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Taylor,
Haluska,	McCreesh,		Pres. Pro Tem.

NAYS—0

Two-thirds of all the Senators having voted, "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 9

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 9, entitled:

An Act to further amend subsection C of section 1009 and section 1408 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization or corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking asociations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothontaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by changing the limitations on the amount which may under certain circumstances be invested in title insurance companies, and by making further provisions concerning the effect of merger or consolidation of banking institutions.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 76

He also returned to the Senate, Senate Bill No. 76, entitled:

A Joint Resolution proposing an amendment to section one, article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to hold successive terms.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 136

He also returned to the Senate, Senate Bill No. 136, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," by specifying in more detail the authority of recorders of deeds in certain instances.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 211

He also returned to the Senate, Senate Bill No. 211, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (1951-52 P. L. 2182), entitled "An act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions," by extending the term of such commission until the end of the 1955 Session of the General Assembly.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 294

He also returned to the Senate, Senate Bill No. 294, entitled:

An Act to further amend subsections (b), (c) and (e) of Section 4 of the act approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the hird class, boroughs, owns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts, and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 9, entitled:

An Act to further amend subsection C of section 1009 and section 1408 of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of ex-

istent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by changing the limitations on the amount which may under certain circumstances be invested in title insurance companies, and by making further provision concerning the effect of merger or consolidation of banking institutions.

Senate Bill No. 76, entitled:

A Joint Resolution proposing an amendment to section one, article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to hold successive terms.

Senate Bill No. 122, entitled:

An Act to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses.

Senate Bill No. 136, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," by specifying in more detail the authority of recorders of deeds in certain instances.

Senate Bill No. 211, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (1951-52 P. L. 2182), entitled "An act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions," by extending the term of such commission until the end of the 1955 Session of the General Assembly.

Senate Bill No. 294, entitled:

An Act to further amend subsections (b), (c) and (e) of Section 4 of the act approved the twenty-fifth day of may, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts, and various officers of said political subdivisions; and prescribing penalties," by clarifying the identity of certain taxing districts.

House Bill No. 51, entitled:

An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

House Bill No. 112, entitled:

An Act to further amend Section 1 of the act, approved the thirtieth day of March, one thousand nine hundred fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," by further regulating the hours of duty of firemen in cities of the second class.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 12, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Wednesday, May 20, 1953 at three o'clock p. m., E. S. T., and when the House of Representative adjourns this week it reconvene on Wednesday, May 20, 1953 at three-thirty o'clock p. m., E. S. T.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 9, entitled:

An Act to amend subsections (a) and (f) of section 1307 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" by authorizing voting by qualified electors honorably discharged from the military service within thirty days prior to the last day for registration.

Which was committed to the Committee on Elections.

House Bill No. 317, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 344, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and

imiting the powers of local authorities to deal with the ubject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, nagistrates, aldermen, justices of the peace, the courts nd the clerks thereof, owners of vehicles, and garage eepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, ncorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent peration of their motor vehicles; imposing penalties; mposing certain costs upon counties; providing for the lisposition of fines, forefeitures, fees, and miscellaneous eceipts; making an appropriation and providing for refunds," by changing the registration fee of certain motor buses and motor omnibuses and prohibiting the use f metal or solid rubber or cushion rubber tires on uch vehicles.

Which was committed to the Committee on Highways.

House Bill No. 414, entitled:

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth with the approval of the County Commissioners to provide as additum judgment index and fixing the fees of the prothonotaries therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 601, entitled:

An Act to amend section 200 of the act, approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by giving the Pennsylvania Fish Commission power to use any method or means of fish eradication for the purpose of fish management and control.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 854, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this oct conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds by regulating the passing of vehicles at intersections the use of highways by pedestrians and imposing penalties.

Which was committed to the Committee on Highways.

House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring supervisors to fix certain compensation of the township secretary, clarifying certain provisions relating to compensation of township auditors, authorizing certain training of policemen at township expense, increasing powers of supervisors to regulate garbage and rubbish, authorizing erection of parking meters and regulation of parking meter charges, providing for township acquisition and control of abandoned cemeteries, regulating the adoption other political subdivisions in promotion of health, authorizing control of disorderly practices, changing taxing powers of townships and the provisions of the act relating to public parks, recreation places and facilities and park and recreation boards.

Which was committed to the Committee on Local Government.

House Bill No. 1060, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections by changing the filing fees for judges in Philadelphia and the number of signers and filing fees for magistrates in cities of the first class.

Which was committed to the Committee on Elections.

House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

Which was committed to the Committee on Local Government.

House Bill No. 1175, entitled:

An Act to further amend Section 802 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the opera-

tors thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing ambulances to be equipped with two spot lamps

Which was committed to the Committee on Highways.

House Bill No. 1197, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the secretary to suspend registrations of manufacturer's jobber's and dealer's in the dealer's class further regulating use of dealer's registration plates in certain cases

Which was committed to the Committee on Highways.

House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

Which was committed to the Committee on Judiciary General.

House Bill No. 1215, entitled:

An Act to amend Section 830 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining the term "log" as used in provisions requiring that logs carried on certain vehicles and trailers be securely fastened.

Which was committed to the Committee on Highways.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Allegheny, Mr. Walker, to the rostrum to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

REPORTS FROM COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 581, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

Mr. KESSLER, from the Committee on Labor and Industry, reported as amended Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a greivance procedure; and providing for hearings before civil service and tenure authorities," and in certain cases before the Pennsylvania Labor Relations Board," by making certain changes in the greivance procedure provided for in the act.

He also, from the Committee on Labor and Industry, reported as committed Senate Bill No. 523, entitled:

An Act to amend Section 4 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 674), entitled "An act to encourage the making and maintaining of agreements concerning wages, hours, and conditions of employment between employers and employes by their representatives, and the settlement of controversies concerning the same by mediation and voluntary arbitration; conferring powers of mediation and arbitration of such controversies on the Department of Labor and Industry," by providing for the taking of a secret ballot in certain cases.

He also, from the Committee on Labor and Industry, reported as amended Senate Bill No. 525, entitled:

An Act to amend the title and the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the

enforcement of this act; and fixing penalties," by providing for protection against radiation; and requiring labeling of containers of dangerous substances.

He also, from the Committee on Labor and Industry, reported as amended Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions, and requiring approval of the Industrial Board in formulation of rules and regulations.

COUNSELOR GEORGE MARAGOPOULIS, ASSOCIATE JUSTICE OF THE SUPREME COURT OF GREECE, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like to present to the Members of the Senate, Counselor George Maragopoulis, Associate Justice of the Supreme Court of Greece, who is with us today.

Will Justice Maragopoulis please rise in place and take a bow?

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, this bill makes it mandatory for all State authorities in the Commonwealth to submit their programs to the General Assembly at each Session for approval.

Mr. President, from the figures that I have compiled, there have been bonds floated now totaling about $200,000,000. It seems to me that since we are striving for economy we should exercise some control over the expenditures of these authorities.

Mr. President, if my memory serves me correctly, I think there is a $90,000,000 item in the current budget for carrying charges and rentals, as a result of construction by these authorities. They tell me—I do not know whether it is true or not, but I got it from a pretty good source—that if the expenditures continue, we will in about eight years find an item in the budget totaling about $190,000,000, which will create a financial problem for the Legislature so far as taxes are concerned.

BILLS INTRODUCED AND REFERRED

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 592, entitled:

An Act making mandatory, the submission to, and the approval of, the General Assembly programs of proposed projects of State Authorities at each regular session.

Which was committed to the Committee on State Government.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 593, entitled:

An Act to establish a separate orphan's court in and for the County of Chester.

Which was committed to the Committee on Judiciary General.

Mr. BERGER, on behalf of Mr. WALKER, read in his place and presented to the Chair Senate Bill No. 594, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by adding a new route.

Which was committed to the Committee on Highways.

He also, on behalf of Mr. WALKER, read in his place and presented to the Chair Senate Bill No. 595, entitled:

An Act relating to the conducting of research by certain institutions and authorizing expenditures therefor.

Which was committed to the Committee on State Government.

He also, on behalf of Mr. WALKER, read in his place and presented to the Chair Senate Bill No. 596, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and extending, revising and consolidating the law relating thereto," by extending the powers of cities relating to certain tunnels, bridges and viaducts.

Which was committed to the Committee on Local Government.

Messrs. BARR and WALKER read in place and presented to the Chair Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of such pensions," by extending the benefits to certain authorities created by such cities.

Which was committed to the Committee on Local Government.

STUDENTS FROM CONYNGHAM CENTRALIA JOINT DISTRICT SCHOOL, LYCOMING COUNTY, PRESENTED TO SENATE

The PRESIDING OFFICER. At this time, the Chair would like to present to the Members of the Senate students from the eighth grade of the Conyngham Centralia Joint District School, under the direction of William McGinley and Thelma Stellfor. These students are the guests of Senator Snowden, of Lycoming County.

Will Senator Snowden's guests please rise in place and take a bow?

SENATE RESOLUTION

REFERRED TO COMMITTEE

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO MAKE STUDY OF PENSIONS, PENSION FUNDS AND PENSION PLANS

Mr. WADE offered the following resolution which was twice read and referred to the Committee on Insurance.

In the Senate, May 13, 1953.

Whereas, Pensions, pension funds, and pension plans form perhaps one of the largest segments of the business conducted by life insurance companies, and, in addition, there exists hundreds of private pension plans in this Commonwealth, and because of the lack of adequate legislation regulating the same, no one knows the extent of this field nor the soundness of many of the plans, and

Whereas, In many cases they provide the only old age retirement security for thousands of our citizens, and

Whereas, Unless this Commonwealth enacts such legislation, the Federal government may gain control of this field through inaction on the part of the State, even though such control properly belongs to the individual states in accordance with the pattern established in all other segments and phases of insurance; now therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a thorough study of the state of pensions, pension funds and pension plans, public and private, in this Commonwealth with a view toward legislation saving control thereof for this Commonwealth as opposed to the Federal government; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations, together with drafts of proposed legislation necessary to effectuate the same to the General Assembly at its next regular session.

REQUESTING THAT ALL APPROPRIATION BILLS BE ITEMIZED

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, May 13, 1953.

Whereas, The time has arrived that the people of Pennsylvania should be fully informed of the financial needs of the Commonwealth for the biennium beginning June 1, 1953 and ending May 31, 1955, and

Whereas, To this date appropriration bills toward that end have not been presented for the consideration of the Legislature in spite of the fact that taxes to meet appropriations are under consideration, and

Whereas, Since the current biennium will end on May 31, 1953, it is in the public interest that the true financial condition of the Commonwealth should be made known as soon after May 31st as is possible, and

Whereas, For that purpose a true and correct statement of the following should be presented to the Commonwealth:

a. Accounts receivable from all sources
b. Accounts payable to all sources
c. Departmental surpluses or deficiencies
d. Unexpended appropriation balances of the current and previous bienniums
e. Taxes receivable from all sources by taxpayer by year

Therefore Be It Resolved, That appropriation bills to meet the financial needs of the Commonwealth for the biennium beginning June 1, 1953 and ending May 31, 1955 be introduced without further delay, and

Be It Further Resolved, That all appropriation bills be itemized by object classification indicating the specific items of expenditure to be allocated to the different agencies of the Commonwealth, and

Be It Further Resolved, That a statement of the true financial condition of the Commonwealth be presented to the Legislature by the Administration, which shall include items named herein on or before May 18, 1953.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. HARE. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 171, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 501, as follows:

An Act to further amend Sections 307 and 1501 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the Satte government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for disbursements from the Historical Preservation Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 307 and 1501 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State

government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 593) are hereby further amended to read as follows

Section 307 Disbursements No money shall be paid from any of the funds of the State Treasury except upon warrant of the Auditor General issued upon requisition pursuant to law except (1) moneys in the State Workmen's Insurance Fund which may be disbursed by check to the State Treasurer upon requisition of the Secretary of Labor and Industry and (2) moneys in the Surplus Commodities Stamp Fund which may be disbursed by check to the State Treasurer upon requisition of the Secretary of Public Assistance [and (3) moneys in the Historical Preservation Fund which may be disbursed by check to the State Treasurer upon requisition of the Pennsylvania Historical and Museum Commission]

Section 1501 Requisitions No money shall be paid out of any fund in the State Treasury except (1) the State Workmen's Insurance Fund and (2) the Surplus Commodities Stamp Fund [and (3) the Historical Preservation Fund] until a requisition therefor shall have been presented to or prepared by the Auditor General

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Watkins,
Crowe,	Lane,	Peelor,	Watson,
Dent,	Leader,	Propert,	Weiner,
Diehm,	Letzler,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Walker,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in tde affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 517, Printer's No. 186, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR
BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 13, Printer's No. 144, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 40, entitled:

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial asssessor in townhips of the first class providing for the appointment of a chief assessor asistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the Recorder of Deeds and eliminating the triennial assessment" by increasing the compensation of assessors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 96, Printer's No. 220, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 189, entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent

that the following bills, on second reading, go over in their order:

Senate Bill No. 208, Printer's No. 222.

Senate Bill No. 236, Printer's No. 223.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 259, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 260, entitled:

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 281, Printer's No. 18.

Senate Bill No. 289, Printer's No. 194.

Senate Bill No. 290, Printer's No. 195.

Senate Bill No. 310, Printer's No. 203.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. HARE. Mr. President, I move that Senate Bill No. 314, on second reading, entitled:

An Act providing for the establishment of a fish hatchery in Wayne of Pike Counties and making an appropriation.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 333, Printer's No. 46, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 334, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making the Milk Con-

trol Commission a departmental administrative commission in the Department of Agriculture and prescribing its powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 334, Printer's No. 47.

House Bill No. 335, Printer's No. 48.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 347, entitled:

An Act to further amend Section 1402 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring sureties to also insure against loss of taxes, in the hands of treasurers as a result of fire, burglary, larceny, theft, robbery, forgery or fraud.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 402, Printer's No. 197, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 439, entitled:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes and for the control of the stem rust disease of wheat oats barley and rye upon request of county commissioners and authorizing the Department of Agriculture to establish regulations therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating workmen's compensation and occupational disease insurance rates and changing the provision relating to such insurance as to policy requirements suits for premiums and annual reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 448, Printer's No. 205,

Senate Bill No. 450, Printer's No. 178.

Senate Bill No. 451, Printer's No. 179.

Senate Bill No. 452, Printer's No. 180,

Senate Bill No. 464, Printer's No. 225.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring noitce of conversion privileges" by increasing the permitted amount of insurance coverage in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 476, entitled:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further classifying real estate for the purpose of taxation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 510, entitled:

An Act to further amend Section 20 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by conferring powers and imposing duties on the State Treasurer regarding the collection and payment of per capita poll and occupation taxes owed by State employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 542, entitled:

An Act to amend the Title and the act approved the second day of May one thousand nine hundred forty-nine (P. L. 873) entitled "An act requiring that the name address political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections requiring secretaries of political subdivisions to report said bureau the names of persons appointed as chief administrative officials the name of th eoffice and the name of the person succeeded" by eliminating certain reports from the county board of elections and requiring reports from the secretaries of political subdivisions to the Bureau of Municipal Affairs and to the county commissioners of the county in which the political subdivision is located.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs and cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 545, entitled.

An Act directing the Department of Forests and Waters to build a replica of Ole Bull's Castle on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norwegian musician.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 655, Printer's No. 84, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act to prohibit operations of motor boats of more than ten horsepower on Canadohta Lake in Crawford County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1009, entitled:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1079, entitled:

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HARE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Boards," by making certain changes in the grievance procedure provided for in the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

An Act to amend Section 4 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 674), entitled "An act to encourage the making and maintaining of agreements concerning wages, hours, and conditions of employment between employers and employes by their represetatives, and the settlement of controversies concerning the same by mediation and voluntary arbitration; conferring powers of mediation and arbitration of such controversies on the Department of Labor and Industry," by providing for the taking of a secret ballot in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 525, entitled:

An Act to amend the title, and the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing for protection against radiation; and requiring labeling of containers of dangerous substances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 581, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. MILLER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MILLER read in place and presented to the Chair Senate Bill No. 598, entitled:

An Act authorizing the State Highway and Bridge Authority, upon agreement with the Department of Highways and approval of the Governor, to erect, construct and maintain a bridge over the Ohio River, between a point in or near the Borough of Shippingport, Beaver County, and a point in such county on the opposite side of the Ohio River, and to provide the necessary approaches and connections with State highways; authorizing the collection of tolls and charges; providing for deisgnation of such bridges, approaches, and connections as State highway routes, and their maintenance as such routes, thirty years after construction

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 599, entitled:

An Act authorizing the State Highway and Bridge Authority, upon agreement with the Department of Highways and approval of the Governor, to erect, construct and maintain a bridge over the Ohio River in or near the Borough of Aliquippa, Beaver County, and the Borough of Baden, Beaver County, to connect with State highways, and to provide the necessary approaches and connections with such State highways, authorizing the collection of tolls and charges, providing for designation of such bridges, approaches and connections as State Highway routes, and their maintenance as such routes, thirty years after their construction.

Which was committed to the Committee on Highways.

SENATE RESOLUTION REFERRED TO COMMITTEE REQUIRING STUDY OF ALL APPROPRIATION BILLS AND REVENUE RAISING MEASURES BY THE SENATE

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DENT offered the following resolution, which was twice read and referred to the Committee on Appropriations:

In the Senate, May 13, 1953.

Whereas, There has not been a complete program of the actual needs of the Commonwealth for the biennium of 1953-55, and

Whereas, It is a sound business principle for the General Assembly to know the exact amount of the appropriations required in the Commonwealth before the revenues are provided to balance the budget for this biennium, therefore

Be It Resolved, The Appropriation Committee of the Senate shall present for consideration by the Senate all the appropriation bills deemed to be necessary for the welfare of the Commonwealth and to carry on the vital and necessary services to the people of the Commonwealth, and

Be It Further Resolved, That the amount of revenue required shall be determined before the Senate votes for the revenue raising measures.

RECESS

Mr. HARE. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of having a meeting of the Committee on Finance.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Finance, reported as committed House Bill No. 817, entitled:

An Act to amend section four of the act approved the urteenth day of January one thousand nine hundred ty-two (P. L. 1965) entitled "An act imposing a peranent and a temporary State tax on fuels used within e Commonwealth in internal combustion engines for e generation of power to propel motor vehicles using e public highways providing for the collection and lien the tax and the distribution and use of the proceeds ereof requiring dealer-users to secure licenses and to e bonds as a guarantee of payment of taxes penalties terest fines uncollectible check fees and Attorney eneral's fees to file reports and to compile and retain rtain records requiring registration of carriers for hire posing duties on such persons requiring personso selling delivering fuels to licensed dealer-users to furnish inrmation imposing certain costs on counties conferring wers and imposing duties on State officers and departents providing for refunds of taxes penalties and interst illegally or erroneously collected from licenses and oviding penalties" by extending the provisions of the ditional tax for a limited time.

He also, from the Committee on Finance, reported as mmitted House Bill No. 818, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine undred thirty-one (P. L. 149) entitled as amended "An ct imposing a State tax payable by those herein defined s distributors on liquid fuels used or sold and delivered ithin the Commonwealth which are practically and mmercially suitable for use in internal combustion ngines for the generation of power providing for the llection and lien of the tax and the distribution and se of the proceeds thereof requiring such distributors to ecure permits to file corporate surety bonds and reports nd to retain certain records imposing duties on retail ealers common carriers county commissioners and such istributors providing for rewards imposing certain costs n counties conferring powers and imposing duties on ertain State officers and departments providing for reunds imposing penalties and making an appropriation" y extending the provisions of the additional tax for a mited time.

He also, from the Committee on Finance, reported as ommitted House Bill No. 819, entitled:

An Act to further amend section seventeen of the act pproved the twenty-first day of May one thousand nine undred thirty-one (P. L. 149) entitled as amnded "An ct imposing a State tax payable by those herein defined s distributors on liquid fuels used or sold and delivered ithin the Commonwealth which are practically and mmercially suitable for use in internal combustion engines or a generation of power providing for the collection nd lien of the tax and the distribution and use of the roceeds thereof requiring such distributors to secure ermits to file corporate surety bonds and reports and to etain certain records imposing duties on retail dealers ommon carriers county commissioners and such disributors providing for rewards imposing certain costs on ounties conferring powers and imposing duties on certain tate officers and departments providing for refunds imosing penalties and making an appropriation" by exending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in he operation of certain tractors and machinery for gricultural purposes.

BILLS ON FIRST READING

Mr. HARE. Mr. President, I move that House Bill No. 817, House Bill No. 818 and House Bill No. 819 be read for the first time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 817, entitled:

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" by extending the provisions of the additional tax for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 818, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act to further amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the

proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HARE. Mr. President, I move that the Senate do now adjourn until Wednesday, May 20, 1953, at 3:00 o'clock, p.m., Eastern Standard Time.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:39 o'clock p. m., Eastern Standard Time, until Wednesday, May 20, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 13, 1953.

The House met at 11:00 a. m. Eastern Standard Time.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Eternal God, Who rulest in the kingdoms of men; grant, we most humbly beseech Thee, honor, and safety to our Governor; peace throughout the Commonwealth; promotion to true religion; encouragement to learning and godly living; a patient service to the large needs of the world; and, by all these glory to Thy holy Name; for His sake, to whom thou hast given all power in heaven and earth, our Lord and Saviour Jesus Christ. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, May 12, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, May 12, 1953 be postponed until the Journal is in print.

The motion was agreed to.

MR. HELM IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Messrs. ROVANSEK and WILLIAMS

HOUSE BILL No. 1308.

An Act to further amend Subsection Three of Section 11 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by reducing the required length of service to qualify for a minimum retirement allowance for certain employes.

Referred to the Committee on State Government.

By Messrs. DUBOIS and DAVIS.

HOUSE BILL No. 1309.

A Joint Resolution proposing an amendment to section eleven, article three of the Constitution of the Commonwealth of Pennsylvania, by prohibiting passage of bills providing for payment of financial deficiencies incurred by Commonwealth agencies not authorized by Act of Assembly previous to expenditure of funds.

Referred to the Committee on Appropriations.

By Messrs. VAN SANT and REIDENBACH.

HOUSE BILL No. 1310.

An Act to further amend Section 3101 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," by providing fines, penalties and costs may be recoverable by a borough, before any justice of the peace or alderman within the county in which such borough is located.

Referred to the Committee on Boroughs.

By Mr. MOODY. HOUSE BILL No. 1311.

An Act to further amend Section 731 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of account and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by permitting public inspection of distributors' monthly liquid fuels tax report with certain exceptions.

Referred to the Committee on State Government.

By Mr. NAUGLE. HOUSE BILL No. 1312.

An Act to amend Section 1361 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public

school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for free transportation of resident pupils in order to provide tours.

Referred to the Committee on Education.

By Messrs. SCOTT and SCHMIDT.

HOUSE BILL No. 1313.

An Act to amend the Title and Section 1 of the act, approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 402), entitled "An act authorizing the court in any proceeding to establish paternity to order the parties therein to submit to blood grouping tests, and prescribing the conditions under which such evidence may be admitted," by prescribing the cases and the time and circumstances in which blood grouping tests may be had and the results thereof received in evidence.

Referred to the Committee on Judiciary.

By Mr. SEYLER. HOUSE BILL No. 1314.

An Act to amend Section 11.1 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by requiring contributions by the Commonwealth towards retirement allowance on account of out-of-state service of certain contributors.

Referred to the Committee on Education.

By Mr. GLICK. HOUSE BILL No. 1315.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by regulating the possession and use of obnoxious substances and imposing penalties.

Referred to the Committee on Law and Order.

By Messrs. SARRAF and KAMYK.

HOUSE BILL No. 1316.

An Act to further amend the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors, and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors before the municipal election, comparing and correcting general and district registers and preparing preliminary street lists.

Referred to the Committee on Elections and Apportionment.

By Mr. KOHL. HOUSE BILL No. 1317.

An Act to further amend clause (b) of Section 4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county board of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance fund, and boards of trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by authorizing the recipient of assistance or his estate to claim and retain out of his personal property the sum of one thousand dollars, and out of his real estate the sum of two thousand five hundred dollars without repayment of public assistance notwithstanding any lien or encumbrance heretofore or hereafter given to the Commonwealth.

Referred to the Committee on Welfare.

By Messrs. JUMP and KOHL. HOUSE BILL No. 1318.

An Act to further amend Section 612.1 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second Class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the discretionary or optional payment of costs to the county by taxing authorities when property is purchased at public sale by the county; providing for distribution of proceeds of later sale after such purchase by the county.

Referred to the Committee on Municipal Corporations.

By Mr. DAVIS. HOUSE BILL No. 1319.

An Act to further amend Section 106 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests, creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that notices may be published in one newspaper in certain cases.

Referred to the Committee on Elections and Apportionment.

By Mr. KENT. HOUSE BILL No. 1320.

An Act to further amend the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring delegates to National party conventions to vote for the candidate for nomination as President who shall have received the highest number of votes cast at the primary election and prohibiting the withdrawal of the name of such a candidate.

Referred to the Committee on Elections and Apportionment.

By Messrs. GEER and WILT. HOUSE BILL No. 1321.

An Act to amend the act, approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by transferring to the juvenile courts, powers and duties relating to parolees of the Pennsylvania Training School at Morganza.

Referred to the Committee on Judiciary.

By Messrs. WILT and GEER. HOUSE BILL No. 1322.

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the County of Allegheny for control, care, guidance, treatment, trial placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," by transferring to the juvenile court powers and duties relating to parolees of the Pennsylvania Training School at Morganza.

Referred to the Committee on Judiciary.

By Mr. QUISENBERRY. HOUSE BILL No. 1323.

An Act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the fourth class and cities, boroughs, townships and school districts situate in such counties.

Referred to the Committee on Municipal Corporations.

By Messrs. BLAIR, DUNN and McCANN. HOUSE BILL No. 1324.

An Act to further amend Section 20 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing fishing in streams, whether stocked with trout or not during closed season.

Referred to the Committee on Fisheries.

By Mr. GUTENDORF. HOUSE BILL No. 1325.

An Act to further amend Section 604 in part of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring all applications for operators' licenses to be accompanied by certain tax receipts.

Referred to the Committee on Motor Vehicles.

By Mr. GUTENDORF. HOUSE BILL No. 1326.

An Act to amend Section 14 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political sub-

divisions; and prescribing penalties," by providing for the issuance of tax receipts for per capita, residence and occupation taxes be issued separately and in duplicate to tax payers.

Referred to the Committee on Municipal Corporations.

By Messrs. JOHN J. MURRAY and JENKINS.

HOUSE BILL No. 1327.

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by revising and changing the provisions of said act relating to the times of registering electors removal notices transfer of registration check up of registers comparing and correcting the general and district registers and preparing of street lists.

Referred to the Committee on Elections and Apportionment.

By Messrs. JOHN J. MURRAY, JENKINS and MAXWELL.

HOUSE BILL No. 1328.

An Act to add Section 612.1 to the act, approved the twenty-fourtth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to sell natural gas for domestic use in certain instances unless the same has a distinctive natural or artificially added odor.

Referred to the Committee on Law and Order.

By Messrs. WALSH, FILO and BOIES.

HOUSE BILL No. 1329.

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primares prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors or registration and other appointees or registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by revising and changing the provisions of said act relating to the times of registering electors removal notices transfer of registration check up of registers comparing and correcting the general and district registers and preparing of street lists.

Referred to the Committee on Elections and Apportionment.

MAJOR GENERAL DANIEL B. STRICKLER WELCOMED

The SPEAKER Pro tempore. The Chair is pleased to see in the Hall of the House today, a very distinguished guest, Major General Daniel B. Strickler.

The Chair appoints as a committee of escort the gentleman from Lancaster, Mr. Wood, and the gentleman from Cambria, Mr. Andrews, to escort the General to the rostrum. In the absence of the gentleman from Cambria, Mr. Andrews, the Chair appoints the gentleman from Berks, Mr. Readinger.

MAJOR GENERAL DANIEL B. STRICKLER. Mr. Speaker and Members of the House, it is very kind of you indeed to recognize me as being present here today, and ask me to come up and say "Hello" and a few words.

I have very fond recollections of serving here in the House back in the 1931 Session. I also visited the House quite a number of times when I was Lieutenant Governor some four or five years ago.

I wish I could take the time to sit down and really talk to you about my experiences in Europe when I was the Commanding General of your Pennsylvania Division and which was called into federal service by our government and sent over to Europe as one of the six divisions over there in connection with the NATO armies.

It was my experience this time to have the opportunity to observe how things are run in Europe in peace time as it is supposed to be at the present time. As you know, I was over there twice, in World War 1 and World War II in combat phases when things were quite different.

Our experiences as a division were very well worthwhile, and I am sure that the some ten thousand Pennsylvania boys who went over with us got a great deal out of being over there and being associated with the German people, also being associated with our comrades in arms of the allied nations, the British, the French, the Belgian, and the Netherlands troops that were holding down the line along the Iron Curtain.

You got sort of a peculiar feeing when you realized that you were given a position within just a few miles of a line on one side of which were the Russian forces, and on the other side of which were the American forces. We had to be alert, combat-ready, and effective to be able to man the line in battle position within one hour's notice in case anything started.

I believe our presence there, and I believe the presence of the forces there today in Germany, keep the Russians from overrunning Europe. Above all, it gives a great security feeling to the Western European nations by our presence there; and if there were a tendency to join up with the Communists, or subscribe to that "ism," certainly our help there, and our presence has kept the nations—or some of the people of the nations—from following the Communistic line.

I was sent down to Italy last November as Chief of the Military Assistance and Advisory Group to the Italian government representing the American government. The experience there was very, very interesting to me. Here

was a nation that was defeated in World War II, that had been our enemy, and that had joined, after the treaty of peace was signed with Italy, the NATO nations.

Italy being one of the partners of those nations is trying to come back economically, trying at the same time to build up its armed forces to help the allied cause, and they are doing a great job. They are very cooperative. They want to do everything possible, keeping in mind their own national integrity, and keeping in mind the program of the NATO nations to hold off Communism in Europe.

The unique part about that, and the experience I gained, was the value of what we called the country team. The Ambassador in Rome is the head of that team and he has the military representative, which was the part I had, and the Minister or Counsel who looks after the State Department end, and the Mutual Security Agency head who looks after the Mutual Assistance Agency program.

The four of us daily and weekly, on bigger conferences, would sit down and work out these tremendous problems involving Italy, because there were hundreds of millions of dollars to be used to help Italy regain itself and to build up its military forces.

We also had to work as a team with the Italian Government officials. The Italian Government, as you know, is going through its growing stages in the parliamentary form of government or democracy, their Senate and their Chamber of Deputies running the Italian country. It was very encouraging to me to see how anxious they were and how they tried so hard to adopt the principles of democracy in the way of handling the affairs of the people, in handling the matter of taxes, and in handling the matter of economical readjustment. They will be self-sufficient, in my opinion, pretty soon. Of course, nationally they have a problem because they lost every bit of their war equipment. When World War II ended, they were an enemy and everything was confiscated. Now we must re-supply some 10 to 15 divisions, their troops, army, navy and air force with the kind of equipment so they can do a job with us as part of the NATO forces.

I have been asked so often by Members of the House here and in Washington, and Members of the Senate, and government people, "Well after all what good is our American money doing over in Europe?" That is a big question that many departments would have to analyze to answer. But, from my own personal view, I think it is doing a great deal of good. It is doing at least the job of holding the line until Europe can readjust itself and assume the responsibilities which we expect them to assume.

Again it would be useless in my opinion, for us to have spent all the millions and billions of dollars we spent in Europe and see it go to waste just because we did not see it through to the end, and permit Communism to take over Europe.

The peoples of Europe are respectful of America. They are sometimes skeptical of the reasons as to why we do things. As an Army man, my own personal feeling about all those things, as I have said so often, is that when any program, whether it is spending, whether it is leading, whether it is commanding, or whether it is a team operation, or whatever it is, the people want to know the what, when, where, how and why, and then they will cooperate a great deal more. I found that so true with handling men in the service, working with them. They want to know the answers to those questions, and it helps a great deal.

Now I am back in Washington with the Secretary of the Army, and as a member of this review board we are handling some of the matters that he refers to us for review in connection with the work of the Department of Defense.

It has been a pleasure to be with you today, and I would love some day to sit down and tell you some of the inside things about how people work in Europe.

The SPEAKER pro tempore. The Chair wishes to thank General Strickler for honoring this House with his presence. I understand that the General is just recovering from a long sick spell and convalescing in the Walter Reed Hospital. We are certainly happy to see him out and around. Thanks, General, come back again.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is happy to welcome to the Hall of the House a former Member from Wayne County, Honorable George W. Firmstone.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence, Nos. 61, 155, 276, 312, 352, 535 and 557.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills ffrom the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 99.

An Act to further amend Section 2 of the act, approved the twenty-second day of July, one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habeas corpus, coran nobis and other writs arising out of escapes or crimes and trials therefor.

HOUSE BILL No. 190.

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E Kent Kane all right title and interest of the Commonwealth to certain land in Sergeant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met

HOUSE BILL No. 260.

An Act to amend section 1 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation and interpretation of wills; to nuncupative wills; to the appointment

of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by changing the provisions which permit minors in military service and mariners to dispose of their property by will.

HOUSE BILL No. 383.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon

HOUSE BILL No. 384.

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the imposition of taxes under the provisions of said act the limitations thereon and the publication and filing of notices relative thereto.

HOUSE BILL No. 703.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions further providing for the correction of errors and providing for the construction of references to certain laws which are repealed

HOUSE BILL No. 704.

An Act to amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules and the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," by clarifying the effect of amendments upon each other; and extending the same to previous enactments.

HOUSE BILL No. 708.

An Act relating to and regulating the contracts of incorporated towns and providing penalties.

HOUSE BILL No. 709.

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council

HOUSE BILL No. 1007.

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. BUCCHIN from the Committee on Motor Vehicles, reported as amended, House Bill No. 583, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating speed, establishing a magistrates court, further prescribing enforcement and penal provisions and imposing duties on certain pedestrians.

Mr. MAGUIRE, from the Committee on Aeronautics, reported as committed, House Bill No. 732, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft.

Mr. CIANFRANI from the Committee on Motor Vehicles, reported as committed, House Bill No. 791, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further regulating the deposit and amount of security, providing for reciprocity, fixing penalties for certain unlawful acts.

Mr. SNIDER from the Committee on Game and Forestry, reported as committed, House Bill No. 1105, entitled:

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 704), entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof, to the flooding and use by holders of limited power permits of islands owned by the Commonwealth, to the unlawful use for water or stream power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits, and to proceedings for the enforcement of this act," by suspending and postponing for a certain period provisions relating to steam power dams within the jurisdiction of the United States.

Mr. WEIDNER from the Committee on Motor Vehicles, reported as amended, House Bill No. 1126, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the inspection period for certain vehicles.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1131, entitled:

An Act to further amend section 1211 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further limiting prosecutions for summary offenses and the authority of the State Police.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 391, entitled:

An Act to further amend subsection (e) of section 608 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Common wealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making applicant and operators license requirements.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay licenses fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for dispositions discovery and inspection.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to amend the proviso of Section 3 of the Act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled

"An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date of the proviso.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 562, entitled:

An Act to amend Sections 7 and 8 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by changing the provisions relating to preparation rooms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 623, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for the registration or licensing of certain persons not originally licensed in Pennsylvania to practice beauty culture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by leving a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 639, entitled:

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 643, entitled:

An Act to regulate the business of private detectives investigators and watch guard or patrol agencies and the licensing thereof providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 649, entitled:

An Act to amend subsection (g) of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registrations of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by providing that persons with fifteen or more years of experience as apprentices shall pass an examination based on practical experience only.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 779, entitled:

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractice and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 894, entitled:

An Act to amend Section 316 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing a corporation by action of its board of directors to grant pensions allowances and stock options to its officers and other employees under certain circumstances and validating pensions allowances and stock options heretofore granted.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 952, entitled

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for filling of vacancies in certain offices and for notice and publication of fire protection codes and ordinances authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds increasing the criminal jurisdiction of the mayor as an alderman authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising authorizing certain street construction and improvement by city employes and the sale of real estate by the city at public sale providing for payment by the city of certain costs in connection with shade trees and further regulating purchases and contracts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1059, entitled:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified coopies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any foreign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint-stock associations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1179, entitled:

An Act to provide an additional manner of taking the affidavit now required by law to be taken in cases of certiorari from aldermen and justices of the peace

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1188, entitled:

An Act to further amend Section 3 of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1252, entitled:

An Act to amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by defining imprisonment making the crime of prison breach a felony and fixing the penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

BILL PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 65

was passed over at the request of the SPEAKER pro tempore.

REPUBLICAN AND DEMOCRATIC CAUCUSES

The SPEAKER pro tempore. Immediately upon the calling of a recess there will be a Republican Caucus in the New House Caucus Room.

There will be a Democratic Caucus in the Old House Caucus Room also immediately upon the calling of the recess.

The Chair requests the Members to go promptly to their caucus meetings.

RECESS

The SPEAKER pro tempore. If there is no objection the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 651, entitled:

An Act to further amend the act, aproved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to ac-

quire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisidiction on certain courts over rates," by providing for increase in member and change in term of members of Authority Boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1089, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennslylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by removing the time limitation of sixty days for filing local option petitions, so that the provisions of the Pennsylvania Election Code will apply.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 133, as follows:

An Act to further amend section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" by fixing and changing the amount of pension payment to beneficiaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section 14 of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" as last amended by the act approved the twenty-second day of May one thousand nine hundred fifty-one (P. L. 333) is hereby further amended to read as follows

Section 14 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to-wit

Classification	Monthly Payments	
Superintendent of Police	[$175.00]	$195.00
Deputy Superintendent of Police		190.00
Assistant Superintendent of Police	[165.00]	185.00
Inspector of Police	[155.00]	175.00
Inspector of Traffic	[155.00]	175.00
Inspector of Detectives	[155.00]	175.00
Police Investigator of Child Delinquency	[155.00]	175.00
Captain of Detectives	[150.00]	170.00
Captain of Police	[150.00]	170.00
Lieutenant of Detectives	[145.00]	165.00
Lieutenant of Police	[145.00]	165.00
Lieutenant of Traffic	[145.00]	165.00
Lieutenant of Motorcycles	[145.00]	165.00
City Detective	[145.00]	165.00
Criminal Court Investigator	[145.00]	165.00
Sergeant of Police	[140.00]	160.00
Chief Identification Operator	[145.00]	165.00
Turnkey	[135.00]	155.00
Patrolman	[135.00]	155.00
Cornerman	[135.00]	155.00
Motorcycle Patrolman	[135.00]	155.00
Morals Court Officer	[135.00]	155.00
Traffic Court Officer	[135.00]	155.00
Precinct Detective	[135.00]	155.00
Bertillon Operator	[135.00]	155.00

Provided That the increases in pension payment herein provided shall be deemed cost-of-living increases [and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases Such increased pension schedule shall be subject to revision by the General Assembly in the event of a decline or a rise in the cost of living Provided That] for a period of four years from the effective date of this amending act and in no event shall any decrease in living costs result in decreasing the schedule of pension payments in effect prior to the passage of this [amendment] amending act

The pensions for members holding positions not included in the above table shall be rated classified and determined by the board of managers in amounts proportionate to the pensions listed in the above table.

No pension shall be granted or paid to any member based on the rank or position which he holds at the time of making application for pension unless he has held such rank or position for a period of one (1) year prior to the date of making such application

Pension payments hereafter shall always be payable on the third working day of each month and shall be for the preceding month

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Ashton,	Gibson,	Lippincott,	Spencer,
Auker,	Gleason,	Mahan,	Stevenson,
Banker,	Goodling,	Markley,	Stimmel,
Barkdoll,	Gramlich,	Mathews,	Stoner,
Baumunk,	Greenwood,	McCullough,	Strausser,
Bear,	Gutendorf,	McInroy,	Sucher,
Blair,	Guthrie,	Metz,	Thompson,
Bolton,	Hall,	Mikula,	Tompkins,
Bomberger,	Hamilton, W. H.,	Miller,	Toomey,
Bower,	Haudenshield,	Moody,	VanSant,
Brown,	Helm,	Moore,	Varner,
Buchanan,	Hewitt,	Moscrip,	Vaughan,
Bullen,	Hocker,	Murray, P. G.,	Verona,
Clapper,	Ide,	Naugle,	Wall,
Connelly,	Johnson,	Ogilvie,	Waterhouse,
Davis,	Jones, Geo. E.,	Peifly,	Weidner,
Down,	Jones, T. H. W.,	Phillips,	Wescott,
Downey,	Jump,	Price,	Whalley,
DuBois,	Keller,	Quisenberry,	Willaredt,
Dunn,	Kent,	Ragot,	Wilt,
Erb,	Kerlin,	Reagan,	Wood,
Ewing,	Kohl,	Richter,	Worley,
Ferster,	Kratz,	Royer,	Yeakel,
Flack,	Kromer,	Rubin,	Young,
Fleischman,	Lafore,	Schuster,	Ziegler,
Frost,	Leisey,	Scott,	Smith, C. C.,
Geer,	Light,	Shotwell,	Speaker

NAYS—87

Alexander,	Hamilton, R. K.,	McWherter,	Sarraf,
Amarando,	Hersch,	Mihm,	Schmidt,
Andrews,	Jenkins,	Mills,	Schwartz,
Bazin,	Jim,	Monroe,	Seyler,
Boles,	Jones, Gran'le E.,	Moran,	Smith, W. B.,
Boory,	Kamyk,	Muldowney,	Snider,
Bucchin,	Kolankiewicz,	Munley,	Stank,
Capano,	Kornick,	Murray, J. J.,	Stone,
Cianfrani,	Kubacki,	Musto,	Taylor,
Cioffi,	Lederer,	Needham,	Thomas,
Comer,	Leonard,	Olsen,	Toll,
Conner,	Leven,	Parlante,	Varallo,
Coyle,	Limper,	Peta,	Wallace,
Curwood,	Lopresti,	Pettigrew,	Walsh,
Dougherty,	Lovett,	Pfaff,	Wargo,
Farabaugh,	Lutty,	Polaski,	Welsh,
Fenrich,	Maguire,	Polen,	Wheeler,
Filo,	Maxwell,	Poltenstein,	White,
Floyd,	McCann,	Readinger,	Whitenight,
Flynn,	McCormack,	Reidenbach,	Williams,
Glick,	McDermit,	Rosen,	Yetzer,
Guss,	McGee,	Rovansek,	Zeltz,

NOT VOTING—13

Adam,	Cochran,	Hoggard,	Petrosky,
Breisch,	Cooper,	Jones, Paul F.,	Shoemaker,
Breth,	Harris,	Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the calling of the roll)

Mr. SARRAF. Mr. Speaker, the roll is being called, but I don't hear both the negative and affirmative votes. We're going to ask for a verification of this roll. I would like very much to hear them, because this is a very important problem in Pittsburgh particularly. Therefore we would like a very careful roll call.

(After the calling of the roll)

Mr. SARRAF. Mr. Speaker, I had intended to ask for a verification of the roll, but in consideration of the result, I will not make that request.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 292, as follows:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1515 [U S] Constitution and Government to Be Taught In all public private or parochial schools there shall be [given regular courses of instruction in] integrated in the social studies curriculum a study of the Constitution of the United States the Constitution of Pennsylvania and the structure of government in the United States including studies of each important elective and appointive office of the borough city county and township form of local government and of the State and Federal governments Such instruction [in the Constitution of the United States] shall begin not later than the opening of the [eighth] ninth grade and shall continue in the high school course and in courses in the State teachers' colleges to an extent to be determined by the Superintendent of Public Instruction

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,

Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C.,
Geer,			Speaker

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 330, as follows:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the amounts of payments to beneficiaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 12 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" as last amended by the act approved the twenty-second day of May one thousand nine hundred fifty-one (P. L. 328) is hereby further amended to read as follows

Section 12 Beneficiaries under said fund shall be rated and classified and shall be entitled to receive from the fund per month the amounts indicated in the following table to wit

Classification		Composed of	Monthly Payments	
I	Chief	Bureau of Fire	[$175.00]	$195.00
	Superintendent	Bureau of Electricity		
II	Deputy Chiefs	Bureau of Fire	[$165.00]	$185.00
	Deputy Superintendents	Bureau of Electricity		
III	Battalion Chiefs	Bureau of Fire	[$155.00]	$175.00
	Chief of River Patrol	Bureau of Fire		
	Chief Inspectors	Division of Fire Prevention		
	Chief Wiring Inspectors	Bureau of Electricity		
IV	Training School Instructors	Bureau of Fire	[$150.00]	$170.00
V	Captains	Bureau of Fire	[$150.00]	$170.00
	Assistant Engineers	Bureau of Electricity		
	Supervisors of Construction	Bureau of Electricity		
	Fire Alarm Operators	Bureau of Electricity		
VI	Lieutenants	Bureau of Fire	[$145.00]	$165.00
	Engineers	Bureau of Fire	[$135.00]	$155.00
	Pumpmen	Bureau of Fire	[$135.00]	$155.00
VII	Drivers	Bureau of Fire	[$135.00]	$155.00
	Electric Writing Inspectors	Bureau of Building Inspection		
VIII	Hose and Laddermen	Bureau of Fire	[$135.00]	$155.00
	Aides	Bureau of Fire		
	Assistant Engineers	Bureau of Fire		
	Fire Alarm Box Inspectors	Bureau of Electricity	[$135.00]	$155.00
	Police Box Inspectors	Bureau of Electricity		
	Instrument Repairmen	Bureau of Electricity		
	Battery Men	Bureau of Electricity		
	Line Foremen	Bureau of Electricity		
	Lineman	Bureau of Electricity		
	Inspector	Bureau of Fire		
	Inspector	Division of Fire Prevention		

The classification of any applicant for retirement or disability pension shall be determined as follows

(1) If the applicant has held the position he holds at the time of making the application continuously for one year or more prior thereto pension shall be granted as of the classification into which such position falls

(2) If the applicant has not held such position continuously for one year or more pension shall be granted as of the classification into which the last preceding position which he held continuously for one year or more falls whether such classification is higher or lower than the classification of the position held by applicant at the time of making the application

The increase in pension payment herein provided shall be deemed cost-of-living increases for a period of four years from the effective date of this amending act and in no event shall any decrease in living costs result in decreasing the schedule of pension payments in 1957 to an amount less than the schedule of pension payments in effect prior to the passage of this amending act

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. SARRAF. Mr. Speaker, this is another pension bill affecting only the City of Pittsburgh, and I ask careful consideration on the part of all the Members of the House, even though it is effective only in our own city.

We asked for a careful roll call on the prior bill which dealt, of course, with the police pension bill. This deals with the firemen's pension bill.

For the information of the House, I do not know whether they are well-informed on the other side or on this side, but the thing is this: There are twelve or thirteen hundred policemen involved in the prior bill. In this bill there are over a thousand involved, who are paying into this pension fund. The pension fund, as it is today, is on a sound basis. The amount of money in this bill is intended to be a cost of living increase to several hundred men who are on pension.

The fund, of course, belongs to the entire 1300. But these several hundred are to get $20 additionally from this bill, and this is only to last for three or four years, similar to the bill that was just passed which would give

$20 more from the police pension. That money belongs to all these people. They are paying into it.

The City of Pittsburgh has not contributed one nickel to these funds for the past six or eight years; I forget the exact number of years, but the thing has to be a sound fund if in four years this $20 additional is given to several hundred men. Therefore, when the fund is depleted, how will it again return to a sound basis? We are not certain whether it means additional money from the taxing bodies. I do not believe it will be too much of an increase to the individuals who are paying in. This surplus will be used up in two, three, or four years.

These two bills are tying the hands of the next legislative session in that they say that these $20 should be given to those who are now on pension. For your information, some of you who were not here two years ago, these same bills were here and asked for $35 increase in pension, on the same basis as these bills are being passed today, where they asked for a cost of living increase.

This is a ticklish subject I realize, and I beg forgiveness in being timid in arising to oppose any pension bill. The City of Pittsburgh is not fighting these bills. We are only guardians of the pension fund. We do contribute as we do to all other funds, but here are thirteen hundred men, as in the case of the policemen, probably 1500 men, who have a fund. Here you are going to permit for two or more years, those who are now on pension to receive more to the extent of $20 a month, then you come into the House four years from now, and what are you going to tell that Legislature to do with those who are eligible to pension from then on?

As I said, I was timid to rise on these two bills. I thought the facts would be shown to the people on the other side as well as to my own group, as you have noticed two or three over on this side of my own have voted for it. But since it has come to this point I think it is only fair to let you people know what is going on with a fund which has nothing to do with politics. It is a matter of 1200 men in one instance. 1300 men in another, as to what you are going to permit them to do in the City of Pittsburgh with their money, guarded by the fathers of our city administration.

Mr. VAUGHAN. Mr. Speaker, I rise in defense of this bill because we think it is good legislation, helping some needy people who really need this money.

This bill, as you know was not put in the hopper two weeks ago; it was put in the hopper at the start of the session. At that time the sponsors of these bills, 133 and 330, the police and the firemen of Pittsburgh, came to us here in Harrisburg, and told us that they had gone to the Mayor of Pittsburgh, and the Council of Pittsburgh, and asked if they were against this legislation. At that time they told them they were not for it or against it. So they came down here and told us that story.

At that time I asked a couple of the Members of the Democratic party from Allegheny County to check with the Mayor and the Council and see if this statement was true. We waited five or six weeks, and got no report back from these Members. So finally, the bills were brought out of Committee, put on the calendar, and as soon as they hit the floor there was a little demand for a hearing.

Saturday a week ago I called at Mayor Lawrence's Secretary's office. I met with the Secretary of the Firemen's Pension Fund, Secretary of the Policemen's Pension Fund, the City Solicitor, and my good friend, Doctor Sarraf. At that time they asked that we hold the bill up and have a meeting of the Allegheny delegation here in Harrisburg the following Tuesday so they could present their facts, which we did. We held the meeting last Tuesday. The Secretary to the Mayor was here, the Secretary of both Pension Funds were here, and we had a meeting up in the Old Caucus Room. At that meeting the facts were brought out that there was enough money in this pension fund that they could continue with this $20 across the board raise from three and one-half to six years. So at that time we agreed we would put this thing on a temporary set-up as a cost-of-living raise for four years, and as you all know, I had to have unanimous consent of the House to put those amendments in on third reading, which I did. There was no complaint then and for the love of me, I do not know why there is a complaint right now. This cost of living raise, if at the end of four years, is going to hurt the city of Pittsburgh, which it can't hurt until then, will be wiped out. It has to be re-enacted at the end of four years. If the money is there now to take care of it, these men are deserving of it. They gave the City of Pittsburgh their time; they worked hard; a lot of them are sick today and need this money to live on, and I ask my colleagues on this side of the House to go along, and the other side of the House, to pass this needed legislation for these firemen.

Mr. SARRAF. Mr. Speaker, I did not care to prolong any debate since all the things that Mr. Vaughan has said are absolutely correct, yet there was one thing that was apparently left out.

In the original, as Mr. Vaughan stated before Council in the city of Pittsburgh, as I told you, these funds were very solid. There is extra money to the extent of close to $650,000 excess in the policemen's fund. In the Firemen's fund, close to $750,000. Therefore, the city did not care what they did, particularly as the original bill was drawn, it was $30 across the board. A settlement was made between everybody that they would only have an increase of $20 a month.

At the time a hearing was called in Pittsburgh, since Mr. Vaughan has divulged what went on in the Mayor's office, I think it is only fair to tell you what went on in the Republican caucus of the Members from Allegheny County. At that time it was stated that these funds would not be exhausted—in one instance as much as nine or ten years, I think that was the instance of the firemen. In the other, about seven or eight years. The request for the hearing was because of the fact wherein we heard from our people that these funds may be exhausted within a period ranging anywhere from two and one-half to four or five years. There was some sort of adjustment after the hearing wherein they thought that four years was sufficient.

I want to stress this point to you, if this were a bill that included every man who is contributing from now on to receive the same amount of money and share in this fund—this excess—I think a bill of that type may

have passed this House a lot more readily. There would have been a definite fight on it. But since, as I told you, the leadership of our party in Pittsburgh are not entering into this picture, but there are men who are like myself apparently, tempted to speak forth.

You, sitting here as Legislators, can see that a fund that has an excess, individuals should be given certain privileges to extend only for four years and then after that the other thousand in one case, the other twelve hundred in the other case, who are continuing to pay do not know where they will stand, because this bill states specifically in four years they will have to come in here somebody, either the city or the firemen must come in here and propose a bill to us who are here, if we are here, therefore, this sort of bills should be moved very, very slowly, with the men paying having also some portion of this excess money that lies in their good fund.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Ashton,	Frost,	Light,	Shotwell,
Auker,	Geer,	Lippincott,	Spencer,
Banker,	Gibson,	Mahan,	Stevenson,
Barkdoll,	Gleason,	Markley,	Stimmel,
Baumunk,	Goodling,	Mathews,	Stoner,
Bear,	Gramlich,	McCullough,	Strausser,
Blair,	Greenwood,	McInroy,	Sucher,
Bolton,	Gutendorf,	Metz,	Thompson,
Bomberger,	Guthrie,	Mikula,	Tompkins,
Bower,	Hall,	Miller,	Toomey,
Breisch,	Hamilton, W. H.,	Moody,	VanSant,
Brown,	Haudenshield,	Moore,	Varner,
Buchanan,	Helm,	Moscrip,	Vaughan,
Bullen,	Hewitt,	Murray, P. G.,	Verona,
Clapper,	Hocker,	Naugle,	Wall,
Connelly,	Ide,	Ogilvie,	Waterhouse,
Cooper,	Johnson,	Peifly,	Weidner,
Davis,	Jones, Geo. E.,	Phillips,	Wescott,
Down,	Jones, T. H. W.,	Price,	Whalley,
Downey,	Jump,	Quiscnberry,	Willaredt,
DuBois,	Keller,	Ragot,	Wilt,
Dunn,	Kent,	Reagan,	Wood,
Erb,	Kerlin,	Richter,	Worley,
Ewing,	Kohl,	Royer,	Yeakel,
Ferster,	Kratz,	Rubin,	Young,
Flack,	Kromer,	Schuster,	Ziegler,
Fleischman,	Lafore,	Scott,	Smith, C. C., Speaker
	Leisey,	Shoemaker,	

NAYS—85

Alexander,	Hamilton, R. K.,	McDermit,	Rovansek,
Amarando,	Hersch,	McGee,	Sarraf,
Andrews,	Jenkins,	McWherter,	Schmidt,
Bazin,	Jim,	Mihm,	Schwartz,
Boies,	Jones, Gran'le E.,	Mills,	Seyler,
Boory,	Jones, Paul F.,	Muldowney,	Smith, W. B.,
Bucchin,	Kamyk,	Munley,	Snider,
Cianfrani,	Kolankiewicz,	Murray, J. J.,	Stank,
Cioffi,	Kornick,	Musto,	Stone,
Comer,	Kubacki,	Needham,	Taylor,
Conner,	Lederer,	Olsen,	Thomas,
Coyle,	Leonard,	Parlante,	Toll,
Curwood,	Leven,	Peta,	Varallo,
Dougherty,	Limper,	Petrosky,	Wallace,
Farabaugh,	Lopresti,	Pfaff,	Walsh,
Fenrich,	Lovett,	Polaski,	Wargo,
Filo,	Lutty,	Polen,	Welsh,
Floyd,	Maguire,	Poltenstein,	Wheeler,
Flynn,	Maxwell,	Readinger,	Whitenight,
Glick,	McCann,	Reidenbach,	Williams,
Guss,	McCormack,	Rosen,	Yetzer,
			Zeitz,

NOT VOTING—12

Adam,	Cochran,	Kline,	Pettigrew,
Breth,	Harris,	Monroe,	Watkins,
Capano,	Hoggard,	Moran,	White,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 573, as follows:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 219) is hereby further amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county city borough town township school and poor purposes at the annual rate

(a) All real estate to wit Houses lands lots of ground and ground rents mills and manufactories of all kinds furnaces forges bloomeries distillers sugar houses malt houses breweries tan yards fisheries and ferries wharves and all other real estate not exempt by law from taxation Machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not be considered or included as a part of the real estate in determining the value of such mill mine manufactory or industrial establishment Provided however that the exclusion of machinery tools appliances and other equipment contained in any mill mine manufactory or industrial establishment shall not apply to the county of the second class

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth Provided That whenever a person other than a Federal employe not taxable under the provisions of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessments The provisions of this clause shall not apply to counties of the second and third class or to any other county the county commissioners of which shall by resolution determine not to levy a tax on trades occu-

pations professions and persons who follow no occupation or calling nor shall the provisions of this clause apply to cities of the second and second A class or to school districts

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 2 The provisions of this act shall become effective the thirtieth day of June one thousand nine hundred fifty-three

On the question,

Shall the bill pass finally?

Mr. POLASKI. Mr. Speaker, I ask consent of the House to discuss House Bill 573 and House Bill 574 on Page 20 of today's calendar, which happens to be a companion measure.

The SPEAKER. Will the House give its unanimous consent to the discussion of both bills? Is there objections? The Chair hears none, and consent is granted.

Mr. POLASKI. Mr. Speaker, the net effect of House Bills 573 and 574 is to outlaw the machinery tax in Erie, although from a cursory examination of the two bills one would gather that they apparently deal with Erie County.

Bills 573 and 574 will deprive the City of Erie of $105 thousand in taxes for the remainder of the year and the school district of the City of Erie of $135 thousand for the last six months of this year.

In 1954 and every year thereafter, if these bills are enacted into law, the City of Erie will lose $210 thousand and the school district of the City of Erie will lose $270 thousand. The bills go into effect July 1st of this year and will force the city and school district to resort to bank loans.

Since under Act 481 the wage tax in Erie is limited to one percent, the elimination of the machinery tax will be about a fifteen percent increase in the real estate tax for the city and the school district.

This will work an undue hardship on the small home owner who has already received a higher city tax and a higher school tax bill for 1953 as a result of a new triennial assessment. The same small home owner has been paying the new quarterly sewer rental bill and of course as a wage earner he has been paying a one percent city wage tax since 1949.

I would not be here opposing these bills were it not for the fact that the small home owner has been hit so hard this year. Even Republican Councilman Kenneth Momeyer has stated publicly that the effect of the new assessment in Erie should not have been to place the greatest burden on the small taxpayer in Erie.

Much has been said about how unfair the machinery tax is, yet each of us would have to admit privately that stationary machinery is the only conceivable part of a plant capable of producing a profit. The stone, the mortar, the brick merely provide shelter for the machinery. Were this not true, this old law would not be on the statutes for these many years.

Even my colleague has admitted in the local press that in many communities in our country and in the state the assessment of machinery is not itemized separately but is included as a part of the assessment on the building.

We in Erie prefer to itemize the machinery tax rather than to hide it like a federal processing tax. The machinery tax in Erie is assessed only on stationary machinery bolted to or cemented in the floor. Office equipment, jitneys or portable equipment are not included in the assessment.

It has been said that the machinery tax will drive industry out of Pennsylvania. If that be the case I am surprised that the sponsor has included an amendment in one of these two bills which exempts Allegheny County from the provisions of these bills. Does the machinery tax levied in Erie fall with any heavier impact on the industry in Erie than on the industry in Allegheny County?

Incidentally the same assessing firm from Ohio, which assessed the Erie machinery has been continuously assessing the machinery for the Commissioners of Allegheny County for the past several years.

Those who look upon Bills 573 and 574 as an Erie problem will shortly be confronted with a new set of bills taking away from Allegheny County the privilege of assessing machinery.

This session is not over yet. There has been no deadline set for introduction of bills. In the final outcome the elimination of the machinery tax either in Erie or elsewhere should not be construed by us as a 100 percent saving to the manufacturer.

Let us take a hypothetical case. Suppose you pay a machinery tax of $1,000 to the City of Erie. This is included as a deduction on your income tax return. If you do not have to pay the machinery tax to Erie and your profits are under $25 thousand you pay about $300 of this $1,000 net profit as income tax.

If your profit is over $25,000, you pay approximately 52 percent of this $1,000 that you did not have to pay as machinery tax in the city of Erie to the Federal government.

To a certain degree, therefore, the question of paying or not paying the machinery tax in Erie is a choice between investing the tax money in your local community to help pay for local city services and to help support education locally or paying a smaller amount to the federal government in the form of income tax on net profit or tax on excess profits.

Furthermore, Mr. Speaker, we have been here four and a half months and we have failed to solve our own state fiscal problems. If we cannot solve our own fiscal problems, why should we by our votes help to corrupt the financial problems of our political subdivisions back home?

I now wish to read some communications from several organizations which are vitally interested in the provisions of these two bills.

The Erie Central Labor Union urges you to vote against House Bills 573 and 574. Erie Central Labor Union—Alton Ross, Corresponding Secretary.

The City of Erie Improvement League, representing some four thousand members, urges that you do not support House Bills 573 and 574. The United States Supreme Court has upheld the machinery tax and we feel it should be left that way.

The State Federation of Labor is on record against these two bills and respectfully urges you to vote against House Bills 573 and 574. Positive action would shift tax burden to those least able to pay. Present method of taxation is based on actual property value and is only method on which taxes should be levied. Pennsylvania CIO Council—Harry Block, Secretary.

Seven hundred teachers of Erie ask you to help defeat House Bills 573 and 574, which would cost Erie $270,000 in loss of revenue aid and the school dis-

tricts slightly lower. Dr. R. Nelson Hale, President, Erie Branch PSEA, 27 W. 33rd, Erie, Pa.

Mr. Speaker, I believe that in view of the fact, that we are already placing in Erie an undue burden on the small home owner by the new triennial assessment, by the city wage tax and by the new sewer rental levy, I hope reason will prevail in this House and that our two valuable subdivisions back home will not be forced to go to the banks for loans.

Mr. WATERHOUSE. Mr. Speaker, in reply to the gentleman from Erie, Mr. Polaski, this bill has had very careful study and I could have read dozens of telegrams and communications from Erie in support of the measures. These did not come just from industry; they came from workers, they came from the Chamber of Commerce and people who are interested in Erie.

Yes, this is an Erie proposition. We are assessing in Erie as you know machinery and real estate. I have no fight with Erie if they want to assess machinery as machinery under Act 481 and put their half of one percent or one percent on that. But when you say you have a building that is worth $100,000 and you have $200,000 worth of machinery in it and we are going to assess you $300,000 and we are going to charge you the flat real estate millage; then I say that that is definitely wrong.

We say it has not been fair. I am going to give you a couple of figures here and ask you if you think it has been fair. In 1949 one of the smaller industries in Erie had a city assessment of $114,600, with a city tax of $1,634. In 1950, when they started their machinery assessment, that assessment went from $114,600 to $289,780, with a city tax of $4,543.75. In 1949 the school assessment was $114,600 and, of course, under the same school assessment, using the machinery it went up to the $289,780. The total tax in 1949 was $2,723.47—the same business and as I say, and not a large business, paid city and school tax of $9,513.48, which is not quite four times, but in excess of three times the tax in one year, additional tax.

Now the gentleman from Erie says that we can deduct it. If you have a nice profit, surely; and the more profit, of course, the more you can take as credit, or, in other words, the smaller amount you would be paying. But we may as well face it that the honeymoon is over, future profits are certain to be small, if you get them. In my own business the first four months of this year, we had a 3.2 percent profit before taxes on each dollar of business. That can very well fade away to a loss instead of a profit. So the fact that you can deduct from something that you do not have is certainly not a very encouraging picture for industry to look at.

I do not want to make a long talk. I do not want to take the time of the House. With reference to Allegheny County, Allegheny County is out, surely. Allegheny County has probably as much industry as can find a place to light. We do have a lot of places in the state where industry could settle. But I do not believe that industry is going to be too interested in settling here if they think they are going to get rapped good and plenty, when many places are willing to give them ten years without taxes, build them their buildings and let them amortize it over a twenty year period.

You know, the old saying killing the goose that laid the golden egg certainly applies here. You can keep pulling feathers out of the goose until you just do not have a goose. No one knows that better than the hard coal sections. When they got to raising the prices, thinking the people could not get along without it, as you know and I know, most of the people there are now working about two days a week. That could very well apply to the state of Pennsylvania. Pennsylvania could very well find herself in the same position as many states in New England, who took advantage of the fact that they had industry and thought they could not lose it. If you do not think we are losing it, all you have to do is to take a trip through the West or the South. We are getting some industry but it is a mere pittance in comparison with what many other states are getting in regard to new industry.

He said Allegheny County would get such a bill in this session. I am surprised that the gentleman from Erie would make that remark, because it was apparently an effort to scare the gentlemen from Allegheny County who are Members of the House. I wish to assure the gentlemen from Allegheny County, that is the Representatives, that they may be assured there will be no such bill from this side of the house, or at least anything that I know about this session, or any other session so far as I am concerned, and that is saying a lot.

He said I made an admission in Erie papers that many communities were using it. I do not know what the papers printed but I can tell you here and now that I never made such an admission. I have said that this would only affect the City of Erie, as they are the only ones who are using the machinery assessment outside of Allegheny County. And I want to reiterate the statement.

I hope the Members can see fit to support this legislation. It is good legislation, it is good for industry, It is good for labor, it is good for Pennsylvania, and it has had a lot of study.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. WATERHOUSE. I shall Mr. Speaker.

Mr. MAXWELL. Mr. Waterhouse, I believe there is a prevailing impression here among the Members of the House that this bill affects only Erie. Now I ask yau, would this bill affect any other community excepting Allegheny County? Would it affect any other community besides Erie in the state?

Mr. WATERHOUSE. In reply to the gentleman, Mr. Speaker, the only community that is levying a tax on machinery as real estate is the city of Erie and the county of Allegheny, so therefore, it would not affect the tax structure of any other part of the state.

Mr. MAXWELL. I would like to further interrogate the gentleman, Mr. Speaker.

I personally believe that the way these different communities assess the manufacturing plants and industries in their respective communities is not by the valuation of the building, or by the valuation of the land on which these building are. I think they combine the building with the contents within them as to what they are actually worth. Is that not the way they assess them?

Mr. WATERHOUSE. They could continue to assess as they are assessing, Mr. Speaker, so long as they do not define that they were assessing machinery and that they could substantiate the assessment they make on the

roperty. Because even now, if they thought the assessment was exorbitant, they could take it to court and ave the court rule as to whether or not the assessment as in line, and further of course, they assess them as usiness property. I think you will grant that a lot is ken into consideration there.

Mr. MAXWELL. I thank the gentleman, Mr. Speaker. Members of the House, I may be wrong, but the way understand this bill, any community that has a manuacturing concern or an industry, I believe they take into onsideration not only the land and the building, but hat is in the building when they assess that property. n asmuch as all these communities have at this time made p their budget, and I fully believe they have assessed ese different industries not just for the shell, not just r the building or just for the land on which it sets, but ey have assessed also the contents of that building in eir assesment.

I am very much afraid that if this bill passes it would mbarrass these communities as far as their expected evenue is concerned and completely throw out of kilter eir entire tax plan for the rest of the year.

If any of you Members in the House have any manuacturing plants in your community, to be on the safe ide I would suggest that you vote against this bill.

Mr. McCANN. Mr. Speaker, coming from a sixth class ounty, a rural county, that has installations of the large asher type pertaining to coal mines, in our county and n many of the other counties in this Commonwealth the ssessed valuations of those installations on the tax ooks are partly based upon the equipment that is in at installation.

As I see this bill—and I have read it very very carelly—I am very fearful that this is not the type of legisation that will do my county or any other county in this tate any good in settling their very serious assessment roblems.

At the present time we are engaged in a contract with he same concern that assessed Allegheny County. We re spending $100,000 to assess these very installations. When I speak of installations, I talk of United States teel, Jones and Laughlin, Bethlehem Steel, Republic teel Corporation, Hillman Coal and Coke, Youngstown heet and Coke—concerns of that type, large concerns.

We endeavor to increase the assessed valuation of those uildings, contending full well that the machinery is the ain part of the building around which the building s designed and built. We have a part of that assessment. Ve contend we do not have the right amount of it.

Coming from an area that is part rural and is developng into a field that will be some day a great industrial enter of our state, I ask that those of you who come rom areas such as I do stand up, regardless of the party r the side of the House that you are on, and stick to he fact that you must include in the assessed valuation f an installation that is wholly designed and built for specific purpose, that you must assess a building that ost $100,000 and have therein $1 million worth of pernanent machinery to operate it at a total cost of a million nd one quarter dollars for installation and building.

For that reason, Mr. Speaker I urge all of the Memers of this House to go on record and oppose this bill or the sake of the future as well as the present on our ustified taxation program that we must meet at home.

This bill does not pertain to Erie, it pertains to every county in Pennsylvania except Allegheny. Therefore it covers all of us except Allegheny County.

I think you should take time to read carefully and to think what can happen in your own community, in your own township, what can happen to your school program that has an assessed valuation basis, the money that you get there, as well as your county. Yes, you can go to court. You can go to court if you desire, but you and I agree—as we all must eventually agree—that the assessed valuations of those installations must be brought into consideration with the machinery as well as the building.

I would like to state, Mr. Speaker, that I believe all the Members of this House should give full support to my stand and oppose the bill.

Mr. POLASKI. Mr. Speaker, I do not want to prolong the debate here today on these two bills. However, I would like to answer one statement made by the gentleman from Erie, Mr. Waterhouse.

He brought up an example of a firm which had its total assessment increased approximately two and one-half times. For the information of the Members of the House, I would like to bring up the fact that the total assessment in Erie is up two and one-half times as a result of the triennial assessment and many small home owners have received an assessment, sometimes as high as three times the original assessment of a year ago. That is why I say it is not only the fact that the small home owner has been dealt a blow in being given an assessment three times the original assessment, but also he is paying a city wage tax and he is paying a new sewer rental tax.

In other words the little fellow in Erie is certainly not getting away from taxes. I am here opposing these bills because I would like to have industry and commercial properties pay their just share of the load.

Mr. SEYLER. Mr. Speaker, I would like to point out to the Members of the House that this represents more than an attempt to limit the taxing powers of the city of Erie. I am concerned with the basic principle involved, especially as it concerns the school districts of the Commonwealth of Pennsylvania.

For a long time many of us, and I think this is true of Members on both sides of the House, have agreed that it would be highly desirable to have as much of the support of schools as possible come from the local districts. This bill, as far as it affects the support of schools, makes a basic change. Up to now we had extended certain abilities to tax to school districts. If this bill is successful, it will withdraw a part of the present ability of school districts to tax property.

This is a step in the direction of more state support, since obviously every time you take away the ability of the local district to support schools, there is only one other place they can look for support, and that is to the state.

As I understand it, not very many Members of this House are in favor at the moment of making large increases in the amount of their share in the support of schools that the state is making. If you do not favor that kind of trend, then it seems to me you must look at the basic problem involved in this bill. Are you going to withdraw from local school districts the ability to im-

pose a tax on themselves for the support of schools? It may be that some communities may have decided that they will tax themselves some other way than to impose a tax which would include the value of machinery.

Perhaps the district which the gentleman who sponsors this bill represents has made that decision, but they have not made that decision in the city of Erie. The gentleman who sponsors this bill, I understand, does not live in that city, and I do not live in that city, and the rest of you, with the exception of two, do not live in that city. I say to you that we should give the people of the city of Erie, or any other city, the ability to tax themselves in the manner in which they desire.

There is only one answer. If you take away this power, and you take away other taxing powers that they now have, to raise their own school money, and support their own schools, you must replace it by greater appropriations from state funds to take the place of it.

I appeal to all of you who are in favor of maintaining as large a percentage of local support for schools as possible to vote in order to make it possible for them to continue to have that power. In other words, let us consider the basic problem here. What are we doing? Are you going on record as taking away from the local districts the power to support their own schools? I leave the question with you, and I urge you to think it over carefully before voting on this bill.

Mr. WATERHOUSE. Very briefly, Mr. Speaker, we are not taking a thing away from the schools. I am not going to take any time, because we want to get out of here, and I know you do.

If they want to tax machinery, they can do it under personal property, under 481, they can get it just the same. But they cannot tax it as real estate and turn around and slap them under 481 in addition to it. That is just about what will happen if you leave it the way it is.

Mr. LOVETT. I would like to interrogate the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Waterhouse, let us be fair about this thing. Why is Allegheny County exempt?

Mr. WATERHOUSE. We just felt that Allegheny County had their financial set-up pretty much set. They do not have any more room for industry there anyway. Erie does have, and I think if they will economize up there just a little bit, they can get along without this. I want to be fair, and that is why I sponsored this legislation.

Mr. LOVETT. Mr. Speaker, I have always felt that in being fair we should give the same right of taxation in any county or municipality. Therefore, I do not think we are being fair if we exempt any county.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. MORAN, POLASKI and READINGER.

The roll was verified and was as follows:

YEAS—102

Ashton,	Gibson,	Lippincott,	Shoemaker,
Auker,	Gleason,	Mahan,	Shotwell,
Banker,	Goodling,	Markley,	Spencer,
Barkdoll,	Gramlich,	Mathews,	Stevenson,
Baumunk,	Greenwood,	McCullough,	Stimmel,
Bear,	Gutendorf,	McInroy,	Stoner,
Blair,	Guthrie,	Metz,	Strausser,
Bolton,	Hall,	Mikula,	Sucher,
Bomberger,	Hamilton, W. H.,	Miller,	Thompson,
Bower,	Haudenshield,	Moody,	Tompkins,
Breisch,	Helm,	Moore,	Toomey,
Brown,	Hewitt,	Moscrip,	VanSant,
Buchanan,	Hocker,	Murray, P. G.,	Varner,
Bullen,	Ide,	Naugle,	Vaughan,
Clapper,	Johnson,	Ogilvie,	Wall,
Connelly,	Jones, T. H. W.,	Peifly,	Weidner,
Cooper,	Jump,	Phillips,	Wescott,
Davis,	Keller,	Price,	Whalley,
Down,	Kent,	Quisenberry,	Willaredt,
DuBois,	Kerlin,	Ragot,	Wilt,
Erb,	Kohl,	Reagan,	Wood,
Ferster,	Kratz,	Richter,	Yeakel,
Flack,	Kromer,	Royer,	Young,
Fleischman,	Lafore,	Rubin,	Ziegler,
Frost,	Leisey,	Scott,	Smith, C. C., Speaker
Geer,	Light,		

NAYS—95

Alexander,	Guss,	McGee,	Schwartz,
Amarando,	Hamilton, R. K.,	McWherter,	Seyler,
Andrews,	Hersch,	Mihm,	Smith, W. B.,
Bazin,	Jenkins,	Mills,	Snider,
Boies,	Jim,	Moran,	Stank,
Boory,	Jones, Geo. E.,	Muldowney,	Stone,
Bucchin,	Jones, Gran'le E.,	Munley,	Taylor,
Capano,	Jones, Paul F.,	Murray, J. J.,	Thomas,
Cianfrani,	Kamyk,	Musto,	Toll,
Cioffi,	Kolankiewicz,	Needham,	Varallo,
Comer,	Kornick,	Olsen,	Verona,
Conner,	Kubacki,	Parlante,	Wallace,
Coyle,	Lederer,	Petrosky,	Walsh,
Curwood,	Leonard,	Pfaff,	Wargo,
Dougherty,	Leven,	Polaski,	Waterhouse,
Downey,	Limper,	Polen,	Welsh,
Dunn,	Lopresti,	Poltenstein,	Wheeler,
Ewing,	Lovett,	Readinger,	White,
Farabaugh,	Lutty,	Reidenbach,	Whitenight,
Fenrich,	Maguire,	Rosen,	Williams,
Filo,	Maxwell,	Rovansek,	Worley,
Floyd,	McCann,	Sarraf,	Yetzer,
Flynn,	McCormack,	Schmidt,	Zeitz,
Glick,	McDermit,	Schuster,	

NOT VOTING—2

Adam,	Harris,	Monroe,	Pettigrew,
Breth,	Hoggard,	Peta,	Watkins,
Cochran,	Kline,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

(After the roll call and before verification.)

QUESTION OF INFORMATION

Mr. LOVETT. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. LOVETT. May I ask the gentleman from Allegheny County why he changed his vote from yea to nay if the bill does not affect Allegheny County?

The SPEAKER. The Chair would say that the gentleman is out of order at this time. There is nothing before the House except the verification of the roll.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 889, as follows:

An Act to amend Section 1219 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the removal of wrecked and abandoned automobiles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1219 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 1219 Abandoned or Wrecked Motor Vehicles Peace officers shall have authority in case owner or custodian is absent or unable to direct such removal to remove or direct removal of abandoned or wrecked motor vehicles from any highway to the nearest [point where such vehicle will not interfere with or obstruct traffic thereon] available garage having facilities to move such vehicles

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Gibson,	Markley,	Schwartz,
Alexander,	Gleason,	Mathews,	Scott,
Amarando,	Glick,	Maxwell,	Seyler,
Andrews,	Goodling,	McCann,	Shoemaker,
Auker,	Gramlich,	McCullough,	Shotwell,
Banker,	Greenwood,	McDermit,	Smith, W. B.,
Barkdoll,	Guss,	McGee,	Snider,
Baumunk,	Gutendorf,	McInroy,	Spencer,
Bazin,	Guthrie,	McWherter,	Stank,
Bear,	Hall,	Metz,	Stevenson,
Blair,	Hamilton, R. K.,	Mihm,	Stimmel,
Boles,	Hamilton, W. H.,	Mikula,	Stone,
Bolton,	Harris,	Miller,	Stoner,
Bomberger	Haudenshield,	Mills,	Strausser,
Boory,	Helm,	Monroe,	Sucher,
Bower,	Hersch,	Moore,	Taylor,
Breisch,	Hewitt,	Moran,	Thomas,
Breth,	Hocker,	Moscrip,	Thompson,
Brown,	Hoggard,	Muldowney,	Toll,
Bucchin,	Ide,	Munley,	Tompkins,
Buchanan,	Jenkins,	Murray, J. J.,	Toomey,
Bullen,	Jim,	Murray, P. G.,	VanSant,
Capano,	Johnson,	Musto,	Varallo,
Cianfrani,	Jones, Geo. E.,	Naugle,	Varner,
Cioffi,	Jones, Granle E.	Needham,	Vaughan,
Clapper,	Jones, Paul F.,	Ogilvie,	Verona,
Cochran,	Jones, T. H. W.,	Olsen,	Wall,
Comer,	Jump,	Parlante,	Wallace,
Connelly,	Kamyk,	Peifly,	Walsh
Conner,	Keller,	Peta,	Wargo,
Cooper,	Kent,	Petrosky,	Waterhouse,
Coyle,	Kerlin,	Pettigrew,	Weidner,
Curwood,	Kohl,	Pfaff,	Welsh,
Davis,	Kolankiewicz,	Phillips,	Wescott,
Dougherty,	Kornick,	Polaski,	Whalley,
Down,	Kratz,	Polen,	Wheeler,
Downey,	Kromer,	Poltenstein,	White,
DuBois,	Kubacki,	Price,	Whitenight,
Dunn,	Lafore,	Ragot,	Willaredt,
Erb,	Lederer,	Readinger,	Williams,
Ewing,	Leisey,	Reagan,	Wilt,
Farabaugh,	Leonard,	Reidenbach,	Wood,
Fenrich,	Leven,	Richter,	Worley,
Ferster,	Light,	Rosen,	Yeakel,
Filo,	Limper,	Rovansek,	Yetzer,
Flack,	Lopresti,	Royer,	Young,
Fleischman,	Lovett,	Rubin,	Zeitz,
Floyd,	Lutty,	Sarraf,	Ziegler,
Flynn,	Maguire,	Schmidt,	Smith, C. C., Speaker
Frost,	Mahan,	Schuster,	
Geer,			

NAYS—5

Ashton,	McCormack,	Moody,	Quisenberry,
Lippincott,			

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 908, entitled:

An Act to provide revenue by imposing A tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 909, as entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

On the question,
Shall the bill pass finally?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the question we face is where do we go from here. We cannot as a responsible, reasonably intelligent and I believe conscientious House remain at a perpetual deadlock.

The action today will serve to clarify the atmosphere, will make it possible to answer questions for which there should be answers. If I ask you today what exactly is the financial situation of the Commonwealth, what are the accounts receivable, to what extent has the budget for the current biennium been over-estimated or under-estimated, I doubt that there is a Member of this House who can tell me. And yet in any intelligent course of action designed to finance our Commonwealth those are points from which we should depart.

The atmosphere should be clarified and cleared of some of the smoke, smock, reckless accusations and statements made by people who are supposedly responsible but temporarily irresponsible.

I have here the Governor's budget. I see that he estimates that our current tax structure would yield us $846 million. It has been alleged that we Democrats sit in our places and vote for appropriations and will not vote for taxes. I would call to your attention that as far as the $846 million is concerned, the major part of it, almost all of it, bears our imprimatur just as it bears yours.

When the tax program in 1951 finally came up for final determination, we did not continue to interpose vetoes, nor would we in the present situation or in future situations continue in our place simply for the power of exercising vetoes.

The Republican Chairman should not have said that we support appropriations and never vote for taxes. The head of the Department of Welfare should not have maliciously been touring this state and saying that the Democratic minority was going to be responsible for the fact that state institutions would close. The trouble with that Department incidentally—and I had to say this sometime and I might as well say it now—the trouble with the Department of Welfare is that the man who runs a panty-waisted administration, with a social worker complex, fumbling, bungling, indecision, the kind of administration that since he has been in office has permitted the wrecking of $2,500,000 worth of fire alarm equipment utterly going to ruin because of neglect, and placed the problem on the desks of the members of the General State Authority to dig up the money to repair those evidences of neglect.

That man has been a millstone around the neck of the present administration ever since it began. The other branch of the Legislature suggests that he be prosecuted, sent to jail. Well I would keep him out of jail, but I would make him a professor in a female seminary.

Mr. Speaker, we have that $846 million-plus what could be raised by and through the means now employed as a part of our tax structure. There might be one or two exceptions, one or two cases, one or two bills that would not receive the support of the minority. But I would estimate that 85 or perhaps 90 percent of the $846 million insofar as it requires reenactment could, if all the Members were present, be reenacted tomorrow.

We should go about the business of financing the affairs of the Commonwealth in a business-like fashion and we have not done it. The trouble with this Session is, and it is no one's fault particularly that we came into the Session without a plan, without a program. Perhaps it was part of our duty to help formulate a program, but we have not had the occasion to obtrude ourselves into the councils of the majority.

We can raise a lot of money by the bills that we passed in 1951. We can finance the affairs of the Commonwealth for a year.

Now my heart goes out to Norman Wood who practically alone, single handed, has to combat the budget office and the department heads unfortified with the technical assistance necessary in order to screen the departmental requests that come before him.

Now what are we to do? I would give Norman Wood a sufficient appropriation to arm himself with analysts and auditors who could audit audits and I would examine these departmental requests. Oh yes, I would finance him the first year and I would give him until next January to come back and tell us how much of it was real and how much of it was phoney, which appropriations should be increased, which should be reduced.

I have a bill pending in Committee which would authorize His Excellency, the Governor, to transfer and combine various bureaus. We have not dealt fairly with the Chesterman Committee report. It was not all hooey. Most of it was maudlin, but here and there there were pay streaks and pay dirt, suggestions to which this General Assembly should have accorded more generous attention than it received.

We should have time to consider what portion of that report can be salvaged, and we need an accountant-general or a legislative comptroller, working with the Chairman of our Appropriation Committee who can tell us day by day and week by week and month by month just exactly where the Commonwealth stands so far as its finances are concerned, what the balance is in every fund and to what extent the money appropriated for particular funds has actually been expended for those purposes.

If we would raise as much of the $860 million, as we can, if we would finance the affairs of the Commonwealth for a year, and if we would put our Appropriation Committee at work on the problem, fortified with competent technical help, we could well afford, after we raised as much of the $860 million as we can, after we had financed the Commonwealth's Departments for a year, recess until next January or adjourn sine die and meet in January with a program, a financial program, an appropriation program that could be put across in two weeks.

A special session would be a far cheaper investment for the people of this Commonwealth than a session protracted into goodness only knows when.

I had expected to say some things about a sales tax. Upon some other occasion I may discuss that proposal for the purpose of orienting it, getting it into its proper prospective. As for today, I will accord to the Majority Leader the privilege of singing the requiem of this dear dead corpse, or proclaiming his faith that while the body sleeps it still throbs with the breath of life and always threatens while in Committee that it will come forth from the sepulcher clad in all its grave habiliments.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked an obtained unanimous consent to address the House.

Mr. Speaker, I want to assure the Members and the people of Pennsylvania that it was with a great deal of reluctance today that we sent the sales tax bill back to Committee.

I want to join in what the Minority Leader says—do not consider the bill dead. I say that if we cannot broaden the base of our taxation in Pennsylvania, it will mean a group of nuisance taxes that we must enact in order to balance this budget, and the longer we delay, the longer the resentment against nuisance taxes increases. You will find that respect for this sales tax bill will increase and I am confident and hoping that before the Session is over we will enact it into law and once and for all put on a broad base tax in this great Commonwealth so that we can run our financial institutions without fear of financial ruin and despair every biennium we meet here.

I will say this about the sales tax I am not apologizing for the bill. I think it is a good bill. I think it is a fair bill. I think it is an equitable bill. I think so far as the small man is concerned it is the easiest way for him to step into line, put his shoulder to the wheel and help support this great Commonwealth. As we have repeatedly said here, unless the average person drinks or smokes or dies or becomes incorporated, they do not pay a cent of direct tax to this great state. It is time that everybody joined in the task of helping to run our Commonwealth and helping to provide us with funds to run this great state.

Before we came up with this sales tax bill, the budget was given a great deal of thought, a great deal of consideration. I have told you here on the floor how we thought maybe we could cut the budget ten percent acress the board, but as you analyze each budget item, you will find how impossible that would be, how foolish a thing like that would be. I have said repeatedly we could not cut the $88 million that we must put into the pot to pay off our bonds during this biennium. You cannot cut that ten percent, and I say you cannot cut the $503 million school budget ten percent. There are some places where you probably could cut, but it all added up to the fact after we had made $20 million worth of cuts, some people said they were not very sensible and that we still needed $137 million.

The Members in our caucus, many of them, came up with the suggestion that we must have a broad base tax, and they considered all the taxes. We gave the income tax pretty fair treatment last Session and that only left us the sales tax this Session. Our caucus, the big majority of them—only a very, very small handful of them were opposed—went on record in favor of this bill; and they still want the bill. They want to put it through as the great hope for the financial affairs in the future of this state. But be that as it may, we have not given up on the matter. To try to find that many nuisance taxes to try to balance this budget is going to be a prodigious job.

Last Session it took us three weeks to come up with the taxes with which we did come up. I might say, if I recall correctly, that Representative Polen and Representatives Hersch on the other side were the only two who voted for our substitute program, despite the fact that we needed that money to balance even the $800 million budget last session. I grant you the Minority did vote for the corporation bills increasing the corporate net and a few things like that, placing it on business, but on the substitute program we carried the ball alone. I believe we did have one or two votes from the other side, as I have stated.

I was quite surprised at what the Minority Leader had to say about Secretary Brown. I say Secretary Brown is one of the best Cabinet officials we have on Capitol Hill. I think he is a very able person. He might say some things he would not say if he thought them over before he said them, but let us picture this man. He started out the biennium and gave Governor Fine his budget, and it was a skimpy budget. It was a budget which did not begin to answer the needs of his department. Governor Fine lopped $14 million off that budget to begin with, and we have come along on our economy program—I am sorry I do not have the sheet here with me—but I believe we have also given him an additional cut. We sent a $120,000 deficiency appropriation bill over to the Senate which was merely to take care of increased salaries. We raised the salaries in the department last Session. It got over to the Senate and they cut it down to $93,000, and as a consequence, because of our delay, many employes have not had their pay.

It is a matter of public record that a good many of the buildings that have been constructed to house our welfare program in this state at present time have not been equipped. There is a lack of manpower, there is a slowness in getting equipment, and it is not entirely his fault. I say that the man, having heard him at Committee hearings, is a visionary person. I think he has a great heart. He is worried about the many people in this state who should be inside our welfare institutions and getting that training and that comfort that we the people are providing for them.

Secretary Brown, if we give him enough money will do a wonderful job for us. You are going to hear more about that soon, because he is running out of money and is going to be in great trouble with some of his hospitals, as you have already read in the public print.

Now I would say if Mr. Andrews—

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews. For what purpose does the gentleman rise?

Mr. ANDREWS. Will the gentleman yield for a question and answer it before he sits down?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. JOHNSON. Mr. Speaker, may I finish my remarks and then I will yield.

Mr. ANDREWS. I just want the gentleman to include the answer in his remarks.

The SPEAKER. Will the gentleman yield?

Mr. JOHNSON. Mr. Speaker, I will yield for a question.

Mr. ANDREWS. Mr. Speaker, I would like to have the gentleman state during the course of his remarks whether we are to infer that none of the activities of the Commonwealth are to be financed as far as the Majority is concerned until it has succeeded in passing a sales tax?

Mr. JOHNSON. I will be very glad to answer that question.

Today we have introduced a $60 million stop-gap appropriation bill to tide us over until we are able to put through a revenue program. It is similar to a bill that we put in during 1951 when we were in a protracted Session and money was needed to carry on the current affairs of the various departments.

I want to say something about the Chesterman Report. We arrived here in January after reading many news releases about that report, full of hope and courage that that was a way out to finance the budget without any need for additional revenue. We got that impression from the newspapers. I do not believe the newspapers intended to give that impression, but we read where the Chesterman Report would mean a saving of $100 million. That would have been splendid had we been able to adopt the report lock, stock and barrel and save $100 million. We would not have needed any new taxes, with what we could have lopped off, perhaps, here and there. But alas, when we looked into the report and studied its various phases, we found that Governor Fine in his budget had already integrated almost $8 million into his budget, and as we further studied the report, it only left about twelve and a half million dollars that could be saved this biennium if we were to adopt the report in toto.

Now it is unfortunate that the Chairman of our State Government Committee is ill. Many of the Chesterman bills are in his Committee, and we are holding them in abeyance, hoping that the gentleman will get well and come back and run his Committee. I am sure that he wants to do it, as he showed today that he has great courage and a great heart. We are not done with the Chesterman report. I am sure that before the session ends many of the recommendations will be adopted, many of them will be referred to the joint State Government Commission for further study. I say that the report is a good report. It is a fair report, but we can not, I believe, adopt all of it this session, as much of it will require further study.

I am not going to talk much longer. I just want to say to the Minority Leader, that I have thought about the very thing he mentioned, the fact of passing what tax revenue we can, pass an abbreviated budget and go home. I have given it a lot of thought. I am sure a lot of other people have given it a lot of thought. No conclusions have been reached on the matter. I agree it is something to give serious consideration to. We will probably hear more about it before very long. In the meantime, we are going to study our revenue needs, we are going to study our various tax measures, we are going to keep up our hopes for the sales tax bill, because we want to do the job which we were sent down here to do, balance the budget and go home and show the people of Pennsylvania that we all had the courage to keep up the work of putting this Commonwealth on a sound financial basis.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COOPER asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I ask for this time to address the House because I feel that as a Member of this august body it is time a voice should be raised about the continuously stalemated conditions.

As an unattached member of the Republican party, elected by independent efforts and hampered for over ten years by the organization, let me call a few basic facts to your attention.

This body is an intelligent one and certainly the problems facing it can be overcome if the will and cooperative spirit prevalent in the traditions of early Pennsylvania are followed. Our early forebears spoke freely their minds as they related to their problems, but today we find such is not the case, as the leaders of the so-called organizations determined what each man's approach shall be in a given matter.

I frankly believe that it is high time that the individual Members here respond to their own minds and react to overcome the particular mess which exists here today. Would that be asking too much. I have in the past offered a state tax program which I feel will present the individuals of this Commonwealth a constructive program and ease the burden on the persons unable to be further taxed. I am not egotistical enough to believe that it is a perfect solution, but I do feel that it offers a start to a program which through discussion can be adjusted to meet the approval of the majority.

Let us face it, Members, if the powers who are feuding over the control of the Commonwealth in the coming months would spend half the effort so expended in solving the problems facing us here, our goals would be met in short order. Think, Members, and act to complete this session. Every day we allow it to remain in this "sad state" we are costing our citizens thousands of dollars and benefitting no one.

PERMISSION TO ADDRESS HOUSE

Mr. JOHN J. MURRAY asked and obtained unanimous consent to address the House.

Mr. Speaker, as a novice here in this House of Representatives, I am mighty impressed with the words of the Majority Leader as to the availability that the Majority party will put themselves to save and to scrape.

Now I just want to mention that as of April 9, 1953, Mr. Jenkins and I introduced a bill, House Bill 1058, which after a very extensive survey and three and a half hours with Mr. Messner of the Revenue Department and with his Controller, Mr. McNally, came up with very definite and profound figures.

This has to do with license plate. I may say to the

Majority Leader that after I am finished, and he knows the crux of this bill, if he is as sincere as he says he is, and for political reasons, if he will remove, or agree to remove from this bill the sponsors, Mr. Jenkins and myself, I feel that he has the authority to do so, so that we may have passage of this bill at least out of Committee for a vote.

This is our finding. In bill 1058, we ask that the license plate that was issued for 1953 be used up to and including the year 1956, which is for three years, We went a little farther and checked with the State of Indiana, the State of Connecticut and the State of Maryland, and we found that plates which are inferior to ours in Pennsylvania are lasting anywhere from three to five years. Now, first of all, we tagged the registration which we send out to municipalities all over the state. It costs $195,000 a year. That of course, Mr. Messner and Mr. McNally agreed will no longer be needed.

The postage, and this is something to pay attention to, amounts to $360,000 a year. Using prison labor, the plates cost us 11.4 cents, or a saving of $398,000 a year. If we figure it annually, or we figure it in a biennial basis as we figure our finances and the taxes in the State, I say to this Honorable House of Representatives, that we will save $1,250,000 annually, excluding the labor needed to distribute these plates each year.

Over a period of two years, a biennium, that is only $2,500,000. But, believe me when a novice like me and Mr. Jenkins, for instance, only two Members of this House find $2,500,000, I think with all the experience, with all the seniority we have here that we can effect further savings.

You may say "What is that as compared to $157 million?" Believe me, gentlemen, it reduces the deficit from $157 million to $154 some odd million, which I think is a step in the right direction.

So, all I say is if the Majority Leader is sincere, and I think he is sincere, this particular bill should be considered. And again, I say and I mean it from the very bottom of my heart, that Mr. Jenkins and myself will withdraw ourselves from the bill and let us put 50 Republicans on it. It is perfectly all right with me, so long as we save $2,500,000 in a biennium.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want to say briefly that I understand our present license plate is not constructed to last such a long period of time as the gentleman suggests. It might not be a bad idea to construct our license plates out of good material and use them longer. There is merit in what he said, but my remarks were confined entirely to the general fund. The license plate money and the expense of them all comes out of the motor license fund, the gasoline tax which is earmarked by the constitution, that is, that particular money can only go into the motor license fund and will not help the general fund at all. I agree with him, I am all for saving money in the motor license fund too.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 91, Printer's No. 175,
House Bill No. 125, Printer's No. 215,
House Bill No. 555, Printer's No. 177,
House Bill No. 574, Printer's No. 221, and
House Bill No. 692, Printer's No. 182,

were passed over at the request of the SPEAKER.

Mr. WORLEY. Mr. Speaker, I rise in objection to bill 692 being passed over. It has been passed over for several days, and as I understand from the Majority Leader he had no objection to the bill when I spoke with him a few days ago. I also spoke with the Chairman of the Democratic Caucus and he tells me that they have no objection. I think it could be passed very easily.

The SPEAKER. The Chair has passed the bill over, for the information of the gentleman, in deference and respect to the members of the Press who still have a job to do tonight. If the gentleman will notice, it is now a quarter to six. The gentlemen of the Press have prepared quite an elaborate affair tonight and in respect to them we are passing all bills over on Third Reading. If the gentleman would be gracious enough to allow us to do so the Chair would appreciate it.

Mr. WORLEY. Well, for the benefit of the Press and the Members I will be glad to do it, but I felt that the Members were here now and we might not have the votes tomorrow.

The SPEAKER. The Chair thanks the gentleman.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196
House Bill No. 822, Printer's No. 150,
House Bill No. 1003, Printer's No. 187
House Bill No. 1206, Printer's No. 211,
House Bill No. 1217, Printer's No. 213, and
Senate Bill No. 416, Printer's No. 135,

were passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEES

Mr. GIBSON, from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 600, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Mr. MOORE, from the Committee on Game and Forestry, reported as amended, House Bill No. 1107, entitled:

An Act to add clause (o) to section two hundred fourteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the use of poison for wildlife management.

Mr. HERSCH, from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12, of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by increasing the medium amount of interest and charges on loans.

Mr. MIKULA, from the Committee on Banking and Loan Associations, reported as committed, Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 122.

An Act to amend the third paragraph of Section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 99.

An Act to further amend Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habes corpus coram nobis and other writs arising out of escapes or crimes and trials therefor

HOUSE BILL No. 190.

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E Kent Kane all right title and interest of the Commonwealth to certain land in Sergeant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met.

HOUSE BILL No. 260.

An Act to amend section 1 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against will and the procedure in reference thereto" by changing the provisions which permit minors in military service and mariners to dispose of their property by will.

HOUSE BILL No. 383.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon.

HOUSE BILL No. 384.

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the leving assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the imposition of taxes under the provisions of said act the limitations thereon and the publication and filing of notices relative thereto.

HOUSE BILL No. 703.

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions; further providing for the correction of errors; and providing for the construction of references to certain laws which are repealed.

HOUSE BILL No. 704.

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the

effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" by clarifying the effect of amendments upon each other and extending the same to previous enactments

HOUSE BILL No. 708.

An Act relating to and regulating the contracts of incorporated towns and providing penalties

HOUSE BILL No. 709.

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council

HOUSE BILL No. 1007.

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

SENATE BILL No. 9.

An Act to further amend subsection C of section 1009 and section 1408 of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by changing the limitations on the amount which may under certain circumstances be invested in title insurance companies and by making further provision concerning the effect of merger or consolidation of banking institutions

SENATE BILL No. 76.

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms

SENATE BILL No. 122.

An Act to amend the third paragraph of Section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses

SENATE BILL No. 136.

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" by specifying in more detail the authority of recorders of deeds in certain instances

SENATE BILL No. 211.

A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (1951-52 P. L. 2182) entitled "An act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions" by extending the term of such commission until the end of the 1955 Session of the General Assembly

SENATE BILL No. 294.

An Act to further amend subsections (b) (c) and (e) of section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by clarifying the identity of certain taxing districts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETING

BOROUGHS—Mr. Baumunk, Chairman, Room 324, Thursday, May 14, at 9:30 a. m. D.S.T.

ADJOURNMENT

Mr. MOSCRIP. Mr. Speaker, I move that this House do now adjourn until Thursday, May 14, 1953 at 9:00 a. m. E.S.T.

The motion was agreed to, and (at 4:50 p. m. E.S.T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., THURSDAY, MAY 14, 1953. No. 40.

HOUSE OF REPRESENTATIVES

THURSDAY, May 14, 1953.

The House met at 9:00 a. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend John Yates, Harrisburg, guest Chaplain, offered the following prayer:

Our Father, Grant Thy blessing and Thy guidance to the Members of this General Assembly today. So that peace and welfare and happiness may be advanced for the citizens of our Commonwealth.

In Christ's Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, May 13, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, May 13, 1953, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. MILLS and RICHTER.

HOUSE BILL No. 1330.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue.

Referred to the Committee on Motor Vehicles.

By Messrs. FILO and EWING.

HOUSE BILL No. 1331.

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

Referred to the Committee on Counties.

By Mr. RUBIN. HOUSE BILL No. 1332.

An Act to further reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined; engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by further defining distributors, wholesale dealers and retail dealers; prescribing the powers and duties thereof under the provisions of said Act; providing that said tax shall be in lieu of other taxes imposed on the same subject.

Referred to the Committee on Ways and Means.

By Mr. RUBIN. HOUSE BILL No. 1333.

An Act to amend sections 3 and 13 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1584) entitled "An act defining and phohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing for the suspension and revocation of Cigarette Tax Permits; and providing remedies and penalties for violations," by designating as unlawful certain sales of cigarettes and certain actions in connection with the sale of cigarettes, making mandatory powers and duties conferred upon the Department of Revenue.

Referred to the Committee on Ways and Means.

By Messrs. WOOD and BOWER.

HOUSE BILL No. 1334.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-three, and such time as the funds provided by the General Appropriation Act and other appropriation acts become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three.

Referred to the Committee on Appropriations.

By Mr. FLACK. HOUSE BILL No. 1335.

An Act to amend subsection (c) of section three and to further amend subsection (d) of section three and section six hundred seven of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for clasification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by including certain regular employes of the Department of Highways within the classified or unclassified service and further regulating their status on effective date of this act.

Referred to the Committee on State Government.

By Messrs. KRATZ, FLACK, READINGER and WHEELER. HOUSE BILL No. 1336.

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property and occupations for county, borough, town, township, school and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the aceptance of this act by cities," by further defining the manner of making assessments and regulating appeals.

Referred to the Committee on Municipal Corporations.

By Messrs. KAMYK and SARRAF. HOUSE BILL No. 1337.

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors, and imposing penalties," by revising and changing the provisions of said act relating to the times of registering electors before the municipal election, comparing and correcting general and district registers, preparing preliminary street lists and street lists.

Referred to the Committee on Election and Apportionment.

By Mr. GUTENDORF. HOUSE BILL No. 1338.

An Act to amend Section 4 of the act, approved the eleventh day of August, one thousand nine hundred forty-one (P. L. 900), entitled "An act defining and prohibiting unfair sales, providing remedies for violations thereof, and establishing penalties therefor," by providing for summary convictions.

Referred to the Committee on Judiciary.

By Mr. BLAIR. HOUSE BILL No. 1339.

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by fixing the limit of tax revenues.

Referred to the Committee on Municipal Corporations.

By Mr. PETA. HOUSE BILL No. 1340.

An Act to add Section 805.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring motor vehicles to be equipped with fire extinguishers and first aid kits.

Referred to the Committee on Motor Vehicles.

By Messrs. OLSEN, LEONARD and LUTTY. HOUSE BILL No. 1341

An Act making an appropriation to the Department of Forests and Waters for a memorial in Point Park in Pittsburgh.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 61.

An Act providing for the appointment of a board of visitation in counties of the first class for institutions societies and associations caring for dependent neglected or delinquent children for the making of nominations of appointment thereto and for the duties of such board.

Referred to the Committee on Cities—Counties—First-Second and Second Class A.

SENATE BILL No. 63.

An Act to further amend paragraph (a) of clause (8) of subsection A and subsection C of section 1208, and section 1209 of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers, and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking asosciations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for authorized investments of savings banks.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 97.

An Act to prohibit acquisition of property and property rights by condemnation except by the Commonwealth and its political subdivisions until payment into court of a percentage of the damages admittedly due owners.

Referred to the Committee on Public Utilities.

SENATE BILL No. 155.

An Act prohibiting the attaching of metal or other hard substances to public utility poles.

Referred to the Committee on Public Utilities.

SENATE BILL No. 276.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescibing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for service required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the incorporators or the corporation to advertise filing of articles of incorporation before or after the date of filing, eliminating requirement of filing proofs of such advertisements, and prohibiting transaction of business before such advertisement, subject to penalties; changing procedure for increasing indebtedness and validating increases heretofore so authorized; providing separate elections for vacancies in offices of different classes of directors; authorizing directors to fix place of meeting of shareholders pursuant to authority of by-laws; changing provisions relative to cumulative voting in elections of directors; further providing for notice to shareholders of meetings to consider proposed amendments; eliminating requirement of filing certificates evidencing certain payments in certain cases of merger or consolidation, and making Commonwealth claims in such cases a lien on the franchises and all property of the surviving or new corporation; and authorizing the Secretary of the Commonwealth to receive process issued by a federal court against any foreign business corporation doing business in this Commonwealth.

Referred to the Committee on Judiciary.

SENATE BILL No. 312.

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 352.

An Act to further amend Section 1 of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" by increasing the amounts of payments from the Commonwealth to counties.

Referred to the Committee on State Government.

SENATE BILL No. 501.

An Act to further amend Sections 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and dis-

bursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursements from the Historical Preservation Fund.

Referred to the Committee on State Government.

SENATE BILL No. 519.

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-sveen (Appropriations Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

Referred to the Committee on State Government.

SENATE BILL No. 535.

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school distiicts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State axes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore so'd to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 557.

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

Referred to the Committee on Appropriations.

SENATE BILL No. 48.

An Act to amend Section 1 of the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties,' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," by extending the provisions of said act to employes reemployed by any school district or vocational school district by which employed immediately prior to entrance into the armed forces of the United States.

Referred to the Committee on Education.

SENATE RESOLUTION FOR CONCURRENCE

SENATE CONCURRENT RESOLUTION SERIAL No. 130.

Referred to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. BOMBERGER from the Committee on Boroughs, reported as committed, House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with

the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating speed designating a traffic court further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 600, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employe's Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 732, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 791, entitled:

To amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1105, entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 704) entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof to the flooding and use by holders of limited power permits of islands owned by the Commonwealth to the unlawful use for water or stream power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits and to proceedings for the enforcement of this act" by suspending and postponing for a certain period provisions relating to steam power dams within the jurisdiction of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act to add clause (o) to section two hundred fourteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the use of poison for wildlife management.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1126, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1131, entitled:

An Act to further amend section 1211 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of

Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further limiting prosecutions for summary offenses and the authority of the State Police

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the busines of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by increasing the minimum amount of interest and charges on loans

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 391, entitled:

An Act to further amend subsection (e) of section 608 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing applicant and operators license requirements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for depositions discovery and inspection

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 500, entitled:

An Act to amend the proviso of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date of the proviso

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 562, entitled:

An Act to amend Section 7 and 8 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by changing the provisions relating to preparation rooms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 623, entitled:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts of applicants and licensees and providing penalties" by providing for the registration or licensing of certain persons not originally licensed in Pennsylvania to practice beauty culture

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 638, entitled:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hunded ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 649, entitled:

An Act to amend subsection (g) of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by providing that persons with fifteen or more years of experience as apprentices shall pass an examination based on practical experience only

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 779, entitled:

An Act to amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1179, entitled:

An Act to provide an additional manner of taking the affidavit now required by law to be taken in cases of certiorari from aldermen and justices of the peace

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

The first section was read.

On the question,

Will the House agree to the section?

Mr. RICHTER offered the following amendment:

Amend Sec. 1 (Sec. 3), page 2, line 10, by striking out "on a full time basis."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L.242) enttiled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payments by counties

The first section was read.

On the question,

Will the House agree to the section?

Mr. RICHTER offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 12, by striking out "on a full time basis."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1282, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

The first section was read.

On the question,

Will the House agree to the section?

Mr. WESCOTT offered the following amendments:

Amend Sec. 1, page 2, line 2, by striking out "1501" and inserting in lieu thereof: "1502."

Amend Sec. 1, (Sec. 1501), page 6, line 3, by striking out all of said lines and inserting in lieu thereof: "Section 1502. The Corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power—"

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 65,
Senate Bill No. 354, Printer's No. 154,
Senate Bill No. 435, Printer's No. 210, and
Senate Bill No. 474, Printer's No. 170,

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 91, Printer's No. 175,
House Bill No. 125, Printer's No. 215,
House Bill No. 555, Printer's No. 177,
House Bill No. 574, Printer's No. 221,
House Bill No. 651, Printer's No. 204,
House Bill No. 692, Printer's No. 182,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150, and
House Bill No. 1003, Printer's No. 187,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1089, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by removing the time limitation of sixty days for filing local option petitions so that the provisions of the Pennsylvania Election Code will apply

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred seventy-two of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages

amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" as amended by the act approved the nineteenth day of January one thousand nine hundred fifty-two (P. L. 2170) is hereby further amended to read as follows

Setion 472 Local Option In any municipality an election may be held on the date of the primary election immediately preceding any municipal election but not oftener than once in four years to determine the will of the electors with respect to the granting of liquor licenses to hotels restaurants and clubs not oftener than once in four years with respect to the granting of licenses to retail dispensers of malt and brewed beverages not oftener than once in four years with respect to granting of licenses to distributors or not more than once in four years with respect to the establishment operation and maintenance by the board of Pennsylvania liquor stores within the limits of such municipality under the provisions of this act Provided however Where an election shall have been held at the primary preceding a municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election And provided further That an election on the question of establishing and operating a State liquor store shall be initiated only in those municipalities that shall have voted against the granting of liquor licenses and that an election on the question of granting wholesale distributor licenses shall be initiated only in those municipalities that shall have at a previous election voted against the granting of dispenser's licenses Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting any of said classes of licenses or the establishment of Pennsylvania liquor stores the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election [occurring at least sixty days thereafter] Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing filing and adjudication of nomination petitions insofar as such provisions are applicable

When the question is in respect to the granting of liquor licenses it shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor in of ?	Yes / No	

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the of ?	Yes / No	

When the question is in respect to the granting of licenses to distributors of malt or brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage distributor's licenses not for consumption on premises where sold in the of ?	Yes / No	

When the question is in respect to the establishment operation and maintenance of Pennsylvania liquor stores it shall be in the following form

Do you favor the establishment operation and maintenance of Pennsylvania liquor stores in the of ?	Yes / No	

In case of a tie vote the status quo shall obtain If a majority of the voting electors on any such question vote "yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs or malt and brewed beverage retail dispenser licenses or distributor's license for the sale of malt or brewed beverages shall be granted by the board or the board may establish operate and maintain Pennsylvania liquor stores as the case may be in such municipality as provided by this act but if a majority of the electors voting on any such question vote "no" then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or if the negative vote is on the question in respect to the establishment operation and maintenance of Pennsylvania liquor stores the board shall not open and operate a Pennsylvania liquor store in such municipality nor continue to operate a then existing Pennsylvania liquor store in the municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store whichever period is less unless and until at a later election a majority of the voting electors vote "yes" on such question

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,

Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kohl,	Petrosky,	Weidner,
Curwood,	Kolankiewicz,	Pettigrew,	Welsh,
Davis,	Kornick,	Pfaff,	Wescott,
Dougherty,	Kratz,	Phillips,	Whalley,
Down,	Kromer,	Polaski,	Wheeler,
Downey,	Kubacki,	Polen,	White,
DuBois,	Lafore,	Poltenstein,	Whitenight,
Dunn,	Lederer,	Price,	Willaredt,
Erb,	Leisey,	Quisenberry,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,			

NAYS—1

Ragot,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1206, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing filing fees for nomination petitions of jury commissioners.

On the question,

Will the House agree to the bill on third reading?

M. HELM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "commissioners": "except in counties of the first or second class."

Amend Sec. 1 (Sec. 913) page 4, line 11 by striking out "[jury commissioner or]" and inserting in lieu thereof: "jury commissioner in a county of the first or second class or."

Amend Sec. 1 (Sec. 913) page 4, line 14, by inserting after "commissioner": "in counties other than those of the first or second class."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 1217, Printer's No. 213, and

Senate Bill No. 416, Printer's No. 135,

were passed over at the request of the SPEAKER.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 885

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 885, Printer's No. 124, entitled "An Act to further amend Section 171 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by authorizing in certain cases appointment of REGISTERED surveyors not resident in the county to boards of viewers in counties of the eighth class."

JOHN S. FINE.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish to enter on the record that as far as I, personally, am concerned, the traditional practices of this House are not subject to veto by the Press or any portion of the Press.

ADJOURNMENT

Mr. GUSS. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 20, 1953 at 3:30 p. m. E.S.T.

The motion was agreed to, and (at 9:57 a. m. E.S.T.) the House adjourned.

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SENATE

WEDNESDAY, May 20, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Lancaster, Mr. KESSLER, offered the following prayer:

O Lord, our God, the source of all power and wisdom, accept our thanks for Thy many blessings. Look kindly on us and the work that we are trying to do for the Commonwealth.

Keep each one of us from getting mad at the other fellow when he is wrong, and help him to not get mad at us when we are wrong. We stumble often; therefore, we pray Thee to reach out Thy hand to us and guide us in the paths in which we should go, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. LANE asked and obtained leave of absence for Mr. YOSKO, due to illness.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 21, PRINTER'S No. 103

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 21, Printer's No. 103, entitled "An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' by changing a certain route in Armstrong County."

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF MONROE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeanette Davis (Republican), 39 North Courtland Street, East Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Evangeline Henry, East Stroudsburg, resigned.

JOHN S. FINE.

MEMBERS OF FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Fulton County Board of Assistance:

Leroy Weiser (Republican), State Route, McConnellsburg, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Howard C. Peck, McConnellsburg, resigned.

Clinton Lister (Republican), Knobsville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Ralph Fraker, Fort Littleton, whose term expired.

JOHN S. FINE.

MEMBER OF CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. F. N. Carlson (Republican), 300 Huron Avenue, Renovo, Clinton County, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Mrs. Ruby A. Brown, Renovo, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Esther R. Gaughan, 219 South Locust Avenue, Centralia, Columbia County, for appointment as Justice of the Peace in and for the Borough of Centralia, Columbia County, until the first Monday of January 1956, vice Joseph O. Gaughan, deceased.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES, ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Ashland State Hospital, for terms of four years, and until their successors are qualified:

Elmer McSurdy, Buck Run, Schuylkill County (Reappointment).

John Barrett, Pottsville, Schuylkill County(Reappointment).

George C. Shoemaker, 34 Hoffman Boulevard, Ashland, Schuylkill County (Reappointment).

Gregory G. Hubler, Gordon, Schuylkill County (Reappointment).

John J. Jones, 130 South Second Street, Frackville, Schuylkill County (Reappointment).

John H. Bilder, R. D. No. 1, Fountain Springs, Ashland, Schuylkill County (Reappointment).

Sol Fox, 1907 Mahantongo Street, Pottsville, Schuylkill County, vice Allen Glick, Ashland, resigned.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

COMMISSIONER OF DEEDS AND NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Commissioner of Deeds and Nortaries Public.

CONSIDERATION OF COMMISSIONER OF DEEDS AND NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Commissioner of Deeds and Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 20, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Scott H. Adams, 506 8th Street, Ocean City, New Jersey, for reappointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New Jersey, for the term of five years to compute from the date of confirmation.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Joseph R. Andolina, Swissvale, Pittsburgh.
Miss Daisy R. Bright, Pittsburgh, 121 Seventh St.
Miss Mary F. Buday, Pittsburgh, 541 Smithfield Street, Rm. 404 (30).
Mrs. Olive S. Lewis, Elizabeth
Edwin V. Marciniak, West View, Pgh.

BEAVER COUNTY

Mrs. Martha C. Stein, New Brighton.

BERKS COUNTY

Mrs. Helen G. Hassler, Reading.
William R. Henry, Shoemakersville.
Arlan W. Kamp, Albany Twp., Kempton.
Mrs. Ruth E. Randazzo, Reading.

BLAIR COUNTY

Victor S. Bloomfield, Altoona.

BUCKS COUNTY

Miss Annie Heler, Riegelsville.

CARBON COUNTY

Mrs. Louise M. Kunkle, Weissport.

CHESTER COUNTY

Walter A. Herley, Coatesville.

CLEARFIELD COUNTY

Miss Natalie T. Barac, DuBois.

COLUMBIA COUNTY

Guy Kreischer, Locust Twp., Numidia.

DELAWARE COUNTY

Edward D. Bean, Upper Darby Twp., Upper Darby.
Robert . Clendening, Upper Darby Twp., Upper Darby.
Mrs. Doris Powers, Trainer, Chester.
Anthony J. Scarcelle, Eddystone.

ERIE COUNTY

Frederick D. Sesler, Erie.

FAYETTE COUNTY

Israel P. Miller, Connelsville.

LACKAWANNA COUNTY

W. J. Frieze, Scranton.

LEBANON COUNTY

Harlan S. Graeff, Cleona.

LEHIGH COUNTY

Mrs. Laura Osman, Allentown.

LUZERNE COUNTY

F. D. Serino, Forty Fort.

MONTGOMERY COUNTY

Donald J. Meeks, Norristown.
William E. West, Lower Merion Twp., Ardmore.
Mrs. Marion Young, Jenkintown.

NORTHAMPTON COUNTY

Joseph M. Fritzo, Easton.

PHILADELPHIA COUNTY

Miss Marie Billy, 12 South 12th Street (7).
Miss Renee M. Bournonville, 222 W. Washington Square.
Mrs. M. Frances Jenkins, 2131 W. Erie Avenue (40).
Ralph Maugel, 1227 N. Broad St. (22).
Edward A. Rufus, 2107 Fairmount Ave. (30).
Miss Helen A Schofield, 2116 Girard Trust Bldg. (21).
Edmund R. Trybala, 1318 South 33d St. (46).

PIKE COUNTY

Roger A. Woltjen, Milford

UNION COUNTY

Mrs. Rosemary Walker, Lewisburg.

WASHINGTON COUNTY

Miss Mary M. Umberger, Claysville.

YORK COUNTY

Miss Ella M. Ayres, Delta.
Mrs. Willie B. Landes, York.
William Y. Naill, Hanover.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 133, entitled:

An Act to further amend section 14 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employes of the Bureau of Police in cities of the second class; providing a pension fund for said employees: and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by fixing and changing the amount of pension payment to beneficiaries.

Which was committed to the Committee on State Government.

House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in contitutional law and government in public private and parochial schools.

Which was committed to the Committee on Education.

House Bill No. 330, entitled:

An Act to further amend the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and maner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by changing the amounts of payments to beneficiaries.

Which was committed to the Committee on State Government.

House Bill No. 889, entitled:

An Act to amend Section 1219 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing

the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the removal of wrecked and abandoned automobiles

Which was committed to the Committee on Highways.

House Bill No. 1089, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local opinion and repealing existing laws" by removing the time limitation of sixty days for filing local option petitions so that the provisions of the Pennsylvania Election Code will apply

Which was committed to the Committee on Law and Order.

STUDENTS FROM ATHOL SCHOOL, BERKS COUNTY, PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of the members of the eleventh and twelfth grade history class, from the Athol School, Berks County, who are here under the guidance of Mr. M. C. Billett. I am wondering if that is the Michael Billett I used to know, who graduated ahead of me at Ursinus. These students are the guests of Senator Ruth.

Will Senator Ruth's guests please rise in place and take a bow?

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on Banking reported as committed Senate Bill No. 552, entitled:

An Act to further amend Section 4 of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further regulating credit union organizations.

Mr. CHAPMAN from the Committee on Appropriations, reported as committed Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

He also, from the Committee on Appropriations, reported as committed House Bill No. 462, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

He also, from the Committee on Appropriations, reported as committed House Bill No. 513, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

REPORTS FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law , I have the honor hereby to nominate for the advice and consent of the Senate Robert P. Dunkle, 4393 North Sixth Street, Harrisburg, Dauphin County, for appointment as Justice of the Peace in and for the Township of Susquehanna, Dauphin County, until the first Monday of January 1956, vice John G. Felty, deceased.

JOHN S. FINE.

Mr. WATSON, from the Committee on Executive Nominations, also reported the Executive Nomination which has been recalled by the Governor.

The nomination was read as follows:

MEMBER OF BOARD OF TRUSTEES, SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Storer, Elizabeth, Allegheny County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, to serve until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice John Evans Rose, Edgeworth, resigned.

JOHN S. FINE.

BILLS INTRODUCED AND REFERRED

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 600, entitled:

An Act to add Section 17.1 to the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fues used or sold and delivered

with in the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," providing for reimbursement of tax to farmers on claims to the Board of Finance and Revenue; making appropriations from the Motor License Fund and prescribing penaties.

Which was committed to the Committee on Finance.

Messrs. STEVENSON and MALLERY read in his place and presented to the Chair Senate Bill No. 601, entitled:

An Act to amend the act, approved the fifth day of January, one thousand nine hundred fifty-two, (P. L. 1833), entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title 11 of the Federal Social Security Act, as amended, creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions; authorizing interstate cooperation in certain cases; creating a Contribution Fund; and making appropriations," by constituting the Secretary of Internal Affairs as the State Agency to carry out the provisions of said act, and relieving the Secretary of Labor and Industry of such duties; eliminating necessity for the approval of the Governor in certain cases.

Which was committed to the Committee on State Government.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 602, entitled:

An Act prohibiting an alderman, justice of the peace or constable from soliciting collection business and providing penalties for violations.

Which was committed to the Committee on Judiciary General.

PETITIONS AND REMONSTRANCES

Mr. RUTH. Mr. President, Senator John H. Dent today issued the following statement from his home in Jeannette, Pennsylvania, where he is confined due to illness. He expects to be in Harrisburg next Monday for the Session.

In speaking for the Democrats' position on the tax situation, I believe that the taxpayers ought to know the exact position of the Minority Party in the Senate. We are opposed to taxation without limitation. Therefore, we cannot vote for any broad base tax unless the terms of that tax contain a definite stated ceiling. The only safeguard against a spendthrift administration, either now or in the future, would be a constitutional limitation on the amount of tax that can be charged to the people under any broad case tax plan. With the present overlapping of functions, taxing authority, spending authority, and the lack of distinguishable lines of separation between local, county and state government, it becomes imperative that a Constitution Convention be called before any long range tax program is initiated.

It would be utter folly and the poorest kind of business judgment to write tax legislation of a permanent nature with the Commonwealth in the chaotic and distressful situation it finds itself in at the moment. If this recommended action had taken place in the Duff Administration, we would not find ourselves in the catastrophic muddle that has every decent citizen worried about Pennsylvania's immediate and future financial condition. We are in accord and will support the necessary advances for education, health and welfare, and for a more efficient highway system. However, in giving this support, we must see the blueprints and plans for the necessary revenue as well as for the spending.

During this Session of the Legislature, we have time and time again requested a breakdown of departmental appropriation demands. We will repeat that request again and again and again. Pennsylvania's present needs can be financed and must be financed.

SENATE CONCURRENT RESOLUTIONS

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY OF STATE-WIDE NEEDS AND PROBLEMS OF THE AGING AND THE AGED

Messrs. SILVERT and DIEHM offered the following resolution which was twice read and referred to the Committee on Public Health and Welfare:

In the Senate, May 20, 1953.

Whereas, Under the date of May 21, 1951, Resolution, Serial Number 122, Legislative Journal, page 1764, was adopted by the Senate; and

Whereas, The said Resolution provided as follows:

"Whereas, The personal, family, social, medical, financial and related problems arising from the continued increase in the number and proportion of Pennsylvanians of advanced age are of growing magnitude; and

"Whereas, These problems are of such striking significance and so intricate as to warrant special and intensive attention by the Commonwealth; and

"Whereas, All aspects of this rise in the aging population presents the Commonwealth with increasingly serious social and human problems; now therefore be it

"Resolved, (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the State-wide needs and problems of the aging and the aged and to develop in cooperation with other governmental and voluntary groups ways and means to assist the Commonwealth in meeting these needs and problems and in such study the commission may appoint and consult with a Citizens Advisory Committee of competent lay and professional citizens who have demonstrated interests in and knowledge of the aging and the aged. Such study shall concentrate on the following:

"1. Employment opportunities for older persons.

"2. Facilities and services for the aged including; counseling and personal services, employment guidance and placement services, medical care services, institutional services, treatment and rehabilitation for the chronically ill, care of and rehabilitation for the disabled and the handicapped, recreation, education and related community services.

"3. Analysis of the problems of the aged receiving old-age assistance with special reference to the adequacy of

grants and standards of living, boarding homes and other sheltered care for the indigent aged.

"4. Special attention to the problems of care and treatment of the senile aged.

"5. Study of other special needs as develop in the course of the study; and be it further

"Resolved, That the Joint State Government Commission shall report to the General Assembly on or before February first, one thousand nine hundred fifty-three, the results of its studies and investigations and recommendations."

Whereas, The study not being completed and the problem still being present, it is therefore

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to continue its study as provided in the 1951 Resolution as above set forth and to report to the General Assembly on or before February first, one thousand nine hundred fifty-five, the results of its studies and investigations and recommendations.

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 20, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 25, 1953 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, May 25, 1953 at three-thirty o'clock p. m., E.S.T.

BILLS SIGNED

THE PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 99, entitled:

An Act to further amend Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habes corpus coram nobis and other writs arising out of escapes or crimes and trials therefor

House Bill No. 190, entitled:

An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E Kent Kane all right title and interest of the Commonwealth to certain land in Sergeant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met.

House Bill No. 260, entitled:

An Act to amend section 1 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89), entitled "Wills Act of 1947," by changing the provisions which permit minors in military service and mariners to dispose of their property by will.

House Bill No. 383, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by giving townships additional powers in relation to streets, State highways, sewers, public squares and properties abutting thereon.

House Bill No. 384, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the leving assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by further regulating the imposition of taxes under the provisions of said act the limitations thereon and the publication and filing of notices relative thereto.

House Bill No. 703, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "Statutory Construction Act," by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions; furthed providing for the correction of errors; and providing for the construction of references to ascertain laws which are repealed.

House Bill No. 704, entitled:

An Act to amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "Statutory Construction Act," by clarifying the effect of amendments upon each other; and extending the same to previous enactments.

House Bill No. 708, entitled:

An Act relating to and regulating the contracts of incorporated towns; and providing penalties.

House Bill No. 709, entitled:

An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council

House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, we have heard a great deal about the creation of a legislative ommittee or a legislative auditor, so that the Members of the Assembly, both House and Senate, could keep in constant touch with the finances in the interim between the Sessions.

Mr. President, the bill that I am about to introduce for myself and my colleagues, Senator Propert, Senator Snowden, Senator Diehm and Senator Wood, if enacted into law, would create a joint legislative committee on which the Chairmen of the Senate Finance Committee and the Senate Appropriations Committee would be compulsory members. In the House, the Chairmen of the Ways and Means Committee and the Appropriations Committee would be compulsory members. The committee would be a continuing one, similar to the committee which now exists in the State of California. They would have the authority to create or appoint a legislative auditor.

BILL INTRODUCED AND REFERRED

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WADE, PROPERT, SNOWDEN, DIEHM and WOOD read in place and presented to the Chair Senate Bill No. 603, entitled:

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee; providing for its membership; and defining its powers and dutes.

Which was committed to the Committee on State Government.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nomination of Robert P. Dunkle for appointment as Justice of the Peace, which was reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon said nomination.

Which was agreed to.

The nomination was read as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert P. Dunkle, 4393 North Sixth Street, Harrisburg, Dauphin County, for appointment as Justice of the Peace in and for the Township of Susquehanna, Dauphin County, until the first Monday of January 1956, vice John G. Felty, deceased.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Watkins,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE GOVERNOR TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call up from the table at this time a communication from His Excellency, the Governor of the Commonwealth of Pennsylvania, recalling the nomination of Charles S. Storer, as a Member of the Board of Trustees of Slippery Rock State Teachers' College.

The Clerk read the communication as follows:

RECALLING NOMINATION OF CHARLES S. STORER AS MEMBER OF BOARD OF TRUSTEES, SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 10, 1953, for the appointment of Charles S. Storer, Elizabeth, Allegheny County, as a member of the Board of Trustees of Slippery Rock State Teachers' College, to serve until the third Tuesday of January 1957; and until his successor shall have been appointed and qualified, vice John Evans Rose, Edgeworth, resigned.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

NOMINATION BY THE GOVERNOR TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Charles F. Storer, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF BOARD OF TRUSTEES, SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles F. Storer, Elizabeth, Allegheny County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, to serve until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice John Evans Rose, Edgeworth, resigned.

JOHN S. FINE.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF STATE FOREST COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Forest Commission, to serve until the 3d Tuesday of January 1955, and until their successors shall have been appointed and qualified:

Thomas H. Golden, 632 Edwards Avenue, Pottsville, Schuylkill County. (Reappointment)

Edward A. Nicodemus, R. D. No. 2, Waynesboro, Franklin County, (Reappointment)

Philip H. Glatfelter, Spring Grove, York County, vice Stuart E. Weller, Ligonier, whose term expired.

Joseph F. Stauss, Benton, Columbia County, vice Ned P. Clark, Coudersport, resigned.

JOHN S. FINE.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of having a meeting of the Judiciary General Committee.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOMEMAKERS FROM AGRICULTURAL ASSOCIATION, INDIANA COUNTY, PRESENTED TO SENATE

The PRESIDENT. The Chair is pleased to note the presence of the Homemakers from the Agricultural Association in Indiana County, 103 members in all, under the instruction of Miss Ellen Garber and Miss Janet Fuhrmeister, of the Home Economics Extension Department.

Will you please rise in place and take a bow?

REPORT FROM COMMITTEE

Mr. SILVERT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SILVERT, from the Committee on Judiciary General, reported as committed Senate Bill No. 497, entitled:

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 171, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 40, as follows:

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by increasing the compensation of assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the firt class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" as amended by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 661) is hereby further amended to read as follows

Section 505 Compensation of Assessor Each assessor hereafter elected shall be paid [seven] ten dollars for each day of eight hours and at the same rate for each hour of any greater or lesser period necessarily employed by him in the performance of his duties On or before the tenth day of each month succeeding any month in which the assessor has been employed one or more days in the performance of his duties the assessor shall file with the board a sworn statement of the days so employed indicating the particular days and the nature of the duties performed on each day The board shall make such examination of the statement as to it seems proper and shall allow or disallow any compensation claimed by the assessor within twenty days after receipt of such statement Any assessor who shall be aggrieved by the action of the board in allowing or disallowing any compensation claimed by him may appeal from the decision of the board to the court of common pleas of the county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 189, as follows:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 9 and 12 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof erquiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended or last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) are hereby further amended to read as follows

Section 9 No sale shall be valid where the taxes and interest have been paid prior to said advertisement or where the taxes interest and costs have been paid after advertisement and before sale or when such taxes are not legally due and collectible Every such sale shall discharge the lien of every obligation claim lien or estate with which said property may have or shall become charged or for which it may become liable except no such sale shall discharge the lien of any ground rent municipal claim or tax remaining unpaid or mortgage which shall have been recorded before such taxes became liens by return and docketing as herein provided and which is or shall be prior to all other liens except other mortgages ground rents municipal claims and/or other taxes Any real estate sold under this act may be redeemed by the owner his heirs or legal representatives or by any lien creditor or his heirs assigns or legal representatives or by anyone interested in said real estate for the benefit of the owner thereof at any time within two years after such sale by the payment to the county treasurers of the full amount which the purchaser paid to said treasurer for taxes interest and costs and fifteen per centum of the amount of tax in addition thereto In case the purchaser has paid any taxes of any kind whatsoever assessed and levied against said property the same shall be reimbursed to said purchaser before any redemption shall take effect No sale of seated lands for taxes under the provisions of this act shall be prejudiced or defeated by proof that there was personal property to be found on the premises sufficient to pay the taxes assessed thereon nor shall such sale be prejudiced by reason of the fact that such lands so assessed as seated lands were at the time unseated

The county treasurer shall give notice by mail within thirty days after such sale to the person in whose name the property is last registered at his last known address and to all lien creditors at their last known addresses a list of which shall be prepared by the county solicitor advising them of their rights of redemption

When any real estate is so sold no lien whatsoever against such real estate shall be deemed to be discharged during the period for redemption but if such real estate is not redeemed then all liens against the same except such liens as are hereinbefore specifically saved shall be deemed to be discharged from the date that the right of redemption expired

When any real estate is so redeemed by a lien creditor or his heirs assigns or legal representatives or by any person interested for the benefit of the owner the county treasurer shall issue to the person redeeming such real estate a certificate stating the fact of such redemption a brief description of the real estate redeemed and the amount of the redemption money paid which certificate may be entered in the office of the prothonotary of the county as a judgment against the owner of the real estate for the amount stated therein The lien of any such judgment shall have priority over all other liens against such real estate except such liens as would not have been discharged had no redemption been made

Section 12 It shall be the duty of the county treasurer at the first term of a court of common pleas of the proper county succeeding any such sale to make a report and return wherein he shall set forth a brief description of the land or property sold the name of the person (where known) in which the same is assessed the amount of tax and the year for which the same is assessed the time when and the newspapers in which the advertisement for sale was made with a copy of said advertisement the time of sale the name of the purchaser [and] the price for which each respective property was sold and that written notice to the person in whose name the property is last registered and to lien creditors was mailed as provided in section nine of this act Upon the presentation of said report or return if it shall appear to said court that such sale has been regularly conducted under the provisions of this act the said report and the sale so made shall be confirmed nisi

The county treasurer shall at the expense of the county publish a general notice once in a newspaper of general circulation throughout the county stating that the report of the county treasurer with respect to any such sale or sales for delinquent taxes has been presented to the court giving the date thereof and that exceptions thereto may be filed within sixty days after the date of return otherwise the report will be confirmed absolutely

In case no objections or exceptions are filed to any such sale within sixty days after the date of return a decree of absolute confirmation shall be entered as of course by the prothonotary Any objections or exceptions to such a sale may raise the legality of the taxes for nonpayment of which the real estate was sold or the return thereof or the validity of the sale for the reason that the tax was actually paid or question the regularity or legality of the proceedings of the treasurer in any respect In case any objections or exceptions are filed they shall be disposed of according to the practice of the court When the same are overruled or set aside a decree of absolute confirmation shall be entered by the court If such objections or exceptions are sustained and the court deems the defect not amendable it shall by its order or decree invalidate the sale From the decision of the court of common pleas any party interested may appeal to the Supreme or Superior Court as in other cases If no objections or exceptions are filed as herein provided or where objections or exceptions are finally overruled and the sale confirmed absolutely the validity of the assessment of the tax and its return for nonpayment and the validity of the proceedings of the treasurer with respect to such sale shall not thereafter be inquired into judicially in equity or by civil proceedings by the person or persons in whose name such property was sold his or her or their heirs or his her or their grantees or assigns subsequent to the date of the assessment of the taxes for which such sale was made and such sale after the period of redemption shall be terminated shall be deemed to pass a good and valid title to the purchaser free from any liens or encumbrances whatsoever except such liens as are hereinbefore specifically saved and in all respects as good and effective as if acquired by a sheriff's deed provided the purchaser has filed the bond for surplus moneys as hereinafter provided

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 258, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act re ating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunites of such associations and of their officers directors shoreholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and oan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments to this bill, solely to correct a grammatical error.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2 (Section 607 page 4, line 11 by inserting after the second word "and" the following: "furnish him with"; Amend Section 2 (Section 607) page 5, lines 8 and 9 by striking out the following: "are issued they".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that Senate Bill No. 258, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 259, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts decorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights powers duties liabilities and immunities of such associations and of their directors and shareholders and providing for the review of by-laws under certain circumstances by the Building and Loan Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections A and C of section three hundred thirteen of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 574) are hereby further amended to read as follows

Section 313 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation any by-laws regulating the [proportion of the profits of the association or the rate of interest paid to] withdrawal fee that may be charged a withdrawing shareholder or any by-laws authorizing the board of directors without action by the shareholders of the association to approve a plan of merger Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

* * * * *

C Immediately upon the adoption of the by-laws or any additions thereto or any alteration amendment or repeal thereof notice of such fact and a copy of such by-law or such alteration amendment or repeal shall forthwith be sent to the Department of Banking The Department of Banking shall within ninety days after receipt thereof have the power to disapprove for any reasonable cause stated in writing any such by-law or any such alteration amendment or repeal thereof but such by-law amendment or repeal shall be effective until the department actually disapproves it and gives notice thereof to the association The association may in the event of such disapproval within sixty days from the receipt of notice thereof appeal from such disapproval to the Building and Loan Board who shall hear such appeal promptly and shall within thirty days after such hearing decide the matter and certify its decision to the Department of Banking The decision of the Building and Loan Board shall be conclusive and not subject to review The Department of Banking shall act in accordance therewith

Section 2 Section five hundred four of said act as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 76) is hereby further amended to read as follows

Section 504 [Shareholders May] Number of Votes Right to Vote in Person or by Proxy Except as otherwise specifically provided in this act every shareholder of record borrowing member or obligor of an association shall have the right at every shareholders' meeting to one vote In addition thereto any shareholder of record shall have as many more votes as he may have shares in excess of the par value of one share standing in his name on the books of the association In calculating such additional votes no fractional units of less than full par value shall be counted nor shall fractional voting be permitted Every shareholder may vote either in person or by proxy Every proxy shall be executed in writing by the shareholder or by his duly authorized attorney in fact and filed with the association A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the association [No unrevoked proxy shall be valid after eleven months from the date of its execution unless coupled with an interest] A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the association A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 3 Section six hundred four of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby amended to read as follows

Section 604 Membership or Withdrawal Fees Other Charges An association shall not levy upon any shareholder or upon any corporation or person intending to become a shareholder any fee or any other charge not specifically permitted by this act

An association may levy upon any holder of installment shares or upon any corporation or person intending to become a holder of installment shares a membership fee which shall not exceed one-eighth of one per centum of the par value of each installment share subscribed to by such shareholder corporation or person All membership fees so paid shall be credited to the general profit account of the association and shall not be credited as dues in the passbook or other receipt issued to the shareholder Upon the voluntary withdrawal before maturity of installment shares an association may charge such withdrawal fee as the by-laws may provide Any withdrawal fee shall be expressed in the by-laws in terms of a percentage of the participation value of the installment shares withdrawn

Section 4 Section six hundred eight of said act is hereby amended to read as follows

Section 608 Shares Held in Name of Minor Any association may issue shares in the name of any minor not less than [sixteen] twelve years of age and shall pay the dividends or earnings thereon as well as the withdrawal or maturity value of such shares to such minor without the assent of his parent or guardian The receipt acquittance

or other action required by the association to be taken by the minor shall be binding upon such minor with like effect is if such minor were of full age and shall be a valid release to the association The parent or guardian of such a minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any shares issued to or in the name of such minor

Section 5 Subsection B of Section six hundred thirteen of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 613 Involuntary Withdrawal of Optional Payment or Installment Shares

* * * * *

B The association shall pay [on each] to the shareholder whose installment or optional payment share is thus involuntarily withdrawn the full amount of the [dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association credited to such share] participation value of such share less any indebtedness or charges due by him

Section 6 Subsection A of Section six hundred seventeen of said act as last amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues on installment shares or dues interest [or] and premiums on a share-mortgage loan but a fine shall not exceed one per centum of the amount of the dues interest or premiums which are in arrears for the period during which they have been in such arrears Such fines may be deducted from or charged against the [earnings of the association properly apportionable to] participation value of the shares in the association on account of which such defaults are made but fines for a longer period than six months shall not under any circumstances be deducted from or charged against [the dues paid by the shareholders upon] such shares

* * * * *

Section 7 Subsections B and C of Section six hundred eighteen of said act as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) are hereby further amended to read as follows

Section 618 Dividends on Shares Undivided Profits

* * * * *

B [An association may retain earnings in an undivided profit account to be used] Any surplus net income or other available earnings which remain after reserve and dividend requirements have been met may at the discretion of the board of directors [for the purpose of paying additional dividends] be retained in an undivided profit account Provided That the total undivided profits on hand at any one time shall not exceed ten per centum of the participation value of all outstanding shares of the association

C The books of each association shall be closed at least annually and as much oftener as the board of directors may determine and the net profits for the period determined and transferred to the undivided profit account Dividends shall be declared on all types of shares at the same date and at least annually by resolution of the board of directors out of the undivided profits after appropriate transfers to the reserve for contingent losses or the reserve for bad debts For the purpose of maturing installment shares special dividends may be declared between regular dividend dates to installment shares nearly matured and special dividends may also be declared between regular dividend dates to installment optional payment and full-paid shares in the case of withdrawal between dividend dates Such special dividends shall not be declared unless justified by the earnings for the current period and shall not in any event exceed the rate of the last regular dividend on the same type of shares

Section 8 Section six hundred twenty of said act as last amended by the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 523) is hereby further amended to read as follows

Section 620 Reserve for Contingent Loses Reserve for Bad Debts Every association shall set aside each year not less than five per centum and [not more than twenty-five per centum] as much more as may be deemed desirable of its net profits for such year [unless the department in writing approves the setting aside of a lesser or greater amount] as a reserve for contingent losses until the total amount of such reserve shall equal at least [five] ten per centum [and not more than twenty per centum] of the assets of such association [unless the department in writing approves the creation of a total reserve of a lesser or a greater amount The] Every association may also maintain a reserve for bad debts Provided however That no profits shall be set aside to the reserve for contingent losses or the reserve for bad debts if the aggregate of those reserves exceeds twenty per centum of the assets of the association unless the department [may at any time] in writing shall authorize or require [any] the association to set aside [such] an additional amount [as] which the department shall deem desirable or necessary to safe guard the interests of the shareholders of such association Such reserve for contingent losses and reserve for bad debts may be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association

If due to a reduction of the assets of an association or due to any other cause whatsoever the aggregate of the reserve for contingent losses and the reserve for bad debts shall exceed twenty per centum of the assets of the association or if the department has authorized or directed the creation of [a reserve for contingent losses] such reserves in excess of [such] twenty per centum and [such reserve exceeds such] they exceed the amount authorized or directed by the department the amount above [such] twenty per centum or such other amount as has been authorized or directed by the department [shall] may be transferred at the next regular meeting of the board of directors to the general profit account of the association

Section 9 Section nine hundred eight of said act as amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 908 Foreclosure on Mortgage for Non-Payment of Dues Interest Premiums or Fines In the case of a default in the payment of dues interest premiums or fines due on a mortgage loan an association if there be no other default shall not have the power to enforce payment of the principal of such loan by legal proceedings unless the total arrearages are equivalent to at least [four] two contracted monthly payments

Section 10 Subsection E of Section twelve hundred one of said act is hereby amended to read as follows

Section 1201 Books Records and Accounts of Association Reports Prohibitions Penalty

* * * * *

E An association shall preserve in such form and manner that they may be readily produced upon proper demand all its records of original or final entries for a period of seven years from the date of making the last entry on the same Provided however That this provision shall not be construed to prevent the destruction of such records after two years if the association has caused the same to be recorded copied or reproduced by any photographic photostatic micro-film or similar process and retains such records in that form Any photographic or micro-filmed reproduction or photostatic copy of such records shall be admissible in evidence in any proceeding equally and with the same force and effect as the original record

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 260, as follows:

An Act to amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" by further providing for the issuance of share accounts to minors and validating their acquittances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons and validating the acquittances of such minors and validating the acquittances of either person in a joint account under certain conditions and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee" is hereby amended to read as follows

Section 1 Any federal savings and loan association existing under an Act of Congress approved June 13 1933 known as the Home Owners' Loan Act of 1933 its amendments and supplements may issue share accounts in the name of any minor not less than [sixteen] twelve years of age and shall pay the dividends thereon as well as the [repurchase] withdrawal value of such share accounts to such minor without the assent of his parent or guardian The receipt acquittance or other action required by the federal savings and loan association to be taken by the minor shall be binding upon such minor with like effect as if such minor were of full age and shall be a valid release to the federal savings and loan association The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach or in any manner transfer any share account issued to or in the name of such minor

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 334, Printer's No. 51, on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 347, as follows:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery forgery or fraud

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 1402 Bond Insurance Salary The city treasurer shall give lawful fidelity bond to the Commonwealth with a surety company authorized by law to act as surety and furnish adequate insurance protection against any and all losses of said funds through fire burglary larceny theft robbery forgery or fraud to be approved by the city council in such sums as it may by ordinance direct conditioned for the accounting for and paying over all moneys received by him in his capacity as city treasurer and the safe-keeping and payment over of all public moneys entrusted to his care and that as tax collector of city county institution district and school taxes he shall keep safe account for and pay over all moneys received by him as taxes penalties and interest The city treasurer and his surety shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over or (2) certified to the city council for entry as liens in the office of the prothonotary or as claims in the tax claim bureau as the case may be or (3) returned to the county treasurer or city treasurer for sale or (4) in the case of taxes not levied upon real estate a record of those which remain uncollected is filed with the tax authority The city treasurer shall be required to give in addition

to insurance as aforesaid but one bond which shall include his duties as city treasurer and collector of city county institution district and school taxes and shall cover the full term of his office Should any of the taxing districts be of the opinion at any time that the bond and insurance as aforesaid [given] provided by the city treasurer is not sufficient in amount [or] as to the surety and insurance thereon the said taxing district may petition the court of quarter sessions having jurisdiction in the city to have the city treasurer furnish additional bond and insurance as aforesaid Thereupon the city treasurer shall furnish such additional bond and insurance if any as the said court may prescribe The premium of [such] the bond or bonds and insurance shall be paid by the city or shared pro rata by the taxing districts interested as the case may be according to their respective tax interests The treasurer shall not in any event be required to [give] provide bond or bonds and insurance [aggregating] in an amount in excess of the taxes to be collected by him The bond or bonds and insurance [given] provided by the city treasurer shall or be for the use of the city and the taxing districts involved He shall as city treasurer receive a fixed annual salary to be provided by ordinance His compensation as tax collector for the city county institution district and school district shall be as provided for in the Local Tax Collection Law

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 439, as follows:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barbery bushes and for the control of the stem rust disease of wheat oats barley and rye upon request of county commissioners and authorizing the Department of Agriculture to establish regulations therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Authority is hereby vested in the Secretary of Agriculture to reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes and for the control of the stem rust disease of wheat oats barley and rye upon written request of county commissioners in conformity with regulations to be established by the Department of Agriculture

Section 2 Reimbursement shall be made from any funds available for that purpose and shall be made in an amount not to exceed one-half of the total expended from any county treasury for such purposes of eradication or control

Section 3 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 446, Printer's No. 215, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I ask unanimous consent that Senate Bill No. 447, Printer's No. 216, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy 2532), entitled "An act to establish funds to provide seprovisions and requiring notice of conversion privileges" curity for the payment of benefits in event of the inby increasing the permitted amount of insurance coverage in certin cases

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PROPERT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2), page 3, line 6, by striking out all of said line and inserting in lieu thereof: "forty thousand dollars ($40,000)"; amend Sec. 2 (Sec. 4), page 4, lines 6 and 7, by striking out "thirty thousand dollars ($30,000)" and inserting in lieu thereof: "forty thousand dollars ($40,000)"; amend Sec. 3 (Sec. 5), page 5, line 9, by striking out "thirty thousand dollars ($30,000)" and inserting in lieu thereof: "forty thousand dollars ($40,000)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that Senate Bill No. 465, on third reading, go over in its order as amended.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 476, as follows:

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further classifying real estate for the purpose of taxation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 219) is hereby further amended to read as follows

Section 201 Subjects of Taxation Enumerated The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county city borough town township school and poor purposes at the annual rate

(a) All real estate to wit Houses House Trailers permanently attached to land lands lots of ground and ground rents trailer parks and parking lots mills and manufactories of all kinds furnaces forges bloomeries distilleries sugar houses malt houses breweries tan yards fisheries and ferries wharves and all other real estate not exempt by law from taxation

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth Provided That whenever a person other than a Federal employe not taxable under the provisions of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessments The provisions of this clause shall not apply to counties of the second and third class or to any other county the county commissioners of which shall by resolution determine not to levy a tax on trades occupations professions and persons who follow no occupation or calling nor shall the provisions of this clause apply to cities of the second and second A class or to school districts

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 510, as follows:

An Act to further amend Section 20 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third lass boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by conferring powers and imposing duties on the State Treasurer regarding the collection and payment of per capita poll and occupation taxes owed by State employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 20 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and presribing penalties" as amended by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 372) is hereby further amended to read as follows

Section 20 Collection of Per Capita Poll and Occupation Taxes from Employers etc The tax collector shall demand receive and collect from the State Treasurer in the case of State employes or from all corporations political subdivisions associations companies firm or individuals employing persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes or having in possession unpaid commissions or earnings belonging to any person or persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes upon the presentation of a written notice and demand containing the name of the taxable or the husband thereof and the amount of tax due Upon the presentation of such written notice and demand it shall be the duty of the State Treasurer or of any such corporation political subdivision association company firm or individual to deduct from the wages commissions or earnings of such individual employes then owing or that shall within sixty days thereafter become due or from any unpaid commissions or earnings of any such taxable in its or his possession or that shall within sixty days thereafter come into its or his possession a sum sufficient to pay the respective amount of the per capita poll or occupation taxes and costs shown upon the written notice or demand and to pay the same to the tax collector of the taxing district in which such delinquent tax was levied within sixty days after such notice shall have been given the State Treasurer or such corporation political subdivision association firm or individual shall be entitled to deduct from the moneys collected from each employe the costs incurred from the extra bookkeeping necessary to record such transactions not exceeding two per centum of the amount of money so collected and paid over to the tax collector Upon the failure of the State Treasurer or of any such corporation political subdivision association company firm or individual to deduct the amount of such taxes or to pay the same over to the tax collected less the cost of bookkeeping involved in such transaction as herein provided within the time hereby required the State Treasurer or such corporation political subdivision association company firm or individual shall forfeit and pay the amount of such tax for each such taxable whose taxes are not withheld and paid over or that are withheld and not paid over together with a penalty of ten per centum added thereto to be recovered by an action of assumpsit in a suit to be instituted by the tax collector or by the proper authorities of the taxing district as debts of like amount are now by law recoverable except that such persons shall not have the benefit of any stay of execution or exemption law

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 517, Printer's No. 186, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 542, as follows:

An Act to amend the Title and the act approved the second day of May one thousand nine hundred forty-nine (P. L. 873) entitled "An act requiring that the name address political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections requiring

secretaries of political subdivisions to report to said bureau the names of persons appointed as chief administrative officials the name of the office and the name of the person succeeded" by eliminating certain reports from the county board of elections and requiring reports from the secretaries of political subdivisions to the bureau of municipal affairs and to the county commissioners of the county in which the political subdivision is located

The General Asembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Title and Section 2 and 4 of the act approved the second day of May one thousand nine hundred forty-nine (P. L. 873) entitled "An act requiring that the name address political subdivision and office of elected offiers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections requiring secretaries of political subdivisions to report to said bureau the names of persons appointed as chief administrative officials the name of the office and the name of the person succeeded" are hereby amended to read as follows

An Act

Requiring that the [name address political subdivision and office of elected officers and the] results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections and requiring secretaries of political subdivisions to [report] makes certain reports to said bureau [the names of persons appointed as chief administrative officials the name of the office and the name of the person succeeded] and to the county commissioners of the county in which the political subdivision is located

Section 2 [Within three (3) days after any county board of elections shall have issued certificates of election to the successful candidates for county city township borough town or ward offices to be filled by the voters it shall be the duty of such county board of elections to certify to the Bureau of Municipal Affairs in the Department of Internal Affairs the name post offce address and political subdivision of every such successful candidate and the office to which such candidate shall have been elected] In January of each year immediately after the first meeting of the governing body of each political subdivision the secretary shall report to the Bureau of Municipal Affairs in the Department of Internal Affairs on forms provided by the bureau and to the county commissioners of the county in which the political subdivision is located on forms provided by the county commissioners the names of all sworn elected and appointed officers within the political subdivision and also a report on all annexation proceedings and change of classification affecting such political subdivision during the year immediately preceding

Section 4 [Immediately after every organization meeting of the governing body of any political subdivision the secretary shall report to the Bureau of Municipal Affairs the names of the chief administrative officials appointed by such governing body to office within such political subdivision] Immediately after the appointment of any person to fill a vacancy in elective or appointive office [as hereinbefore provided] within any political subdivision the secretary thereof shall report to the Bureau of Municipal Affairs and to the office of the county commissioners of the county in which the political subdivision is located the office to which the appointment shall have been made the name of the appointee and the name of the person succeeded

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 543, as follows:

An Act providing for and regulating the annexation of parts of a second class township to boroughs and cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the annexation of territory in a second class township to a borough or city is desired a majority of the freeholders in the proposed annexed teritory shall petition the borough or city requesting the annexation The petition shall be accompanied by a fee of one hundred fifty dollars ($150) and shall be approved or disapproved by ordinance The said sum shall be applied to the purpose expressed in Section 8 hereof and shall be returned to the petitioners if found unnecessary for the purpose

A copy of the petition without the signatures shall be filed with the supervisors of the township concerned prior to its presentation to the city or borough and a certification of such filing shall be signed by at least one signer of the petition and be attached to the petition when presented to the city or borough

A majority in interest of owners of undivided interests in any piece of property shall be deemed and treated as one person for the purpose of ascertaining the number of petitioners

Section 2 The petition after its approval by council shall be certified to the court of quarter sessions by the secretary of the borough or clerk of the city If within thirty days thereafter no person aggrieved by the ordinance complains to the court asking for the appointment of a board of commissioners as a fact finding body the court shall determine the question and if it is satisfied as to the legality of the proceeding and the propriety of the annexation as serving public rather than private interests shall affirm the annexation

Section 3 If within thirty days after the ordinance has been certified to the court any person aggrieved by the ordinance shall complain to the court asking for the appointment of a board of commissioners as a fact finding body the court if satisfied with the legality of the proceeding and the propriety of the annexation as serving public rather than private interests shall appoint a board of three commissioners to make a study of the facts in the matter No person shall be appointed as a member of the board who is a resident or taxpayer of the borough or city or of the township affected by the proposed annexation or who has a substantial interest in the proceeding financial or otherwise

Section 4 Within sixty days after its appointment the board shall inquire into and make findings of fact as to (1) the relative advantages and disadvantages to the borough or city and the township affected by the annexation (2) the assessed valuation of the township the assessed valuation of the territory to be annexed and how the annexation would affect the remainder of the territory

(3) the township indebtedness (4) the value of all public improvements including but not limited to roads buildings and sewers in the territory to be annexed and the indebtednes chargeable thereto (5) the future plan of the entire area and (6) any other matters directed by the court

Section 5 The court shall consider the findings of the board together with any facts that may be submitted to it and shall make an order either dismissing the proceedings or affirming the annexation

Section 6 The annexation if affirmed by the court shall become effective as of the date of approval by the court if that date is two months or more prior to the date of the next election or primary If the date of approval by the court is less than two months prior to the date of the next election or primary then the annexation shall take effect immediately after the election or primary

Section 7 If the court shall affirm the annexation it shall adjust the indebtedness as provided by law Taxes levied prior to the effective date of the annexation shall be paid to the township where levied and the collection and enforcement shall be as though the land had not been annexed

Section 8 The members of the commission shall be compensated to the extent of fifty dollars ($50) each which shall be deposited in said court by the borough or city

Section 9 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 545, as follows:

An Act directing the Department of Forests and Waters to build a replica of Ole Bull's Castle on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norwegian musician

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Departments of Forests and Waters is hereby directed to build a replica of Ole Bull's Castle at Ole Bull Park in Stewardson Township Potter County Pennsylvania located in Susquehanna State Forest to commemorate the settlement one hundred years ago of the colony fostered by the famous Norwegian musician Construction of the castle shall be made upon the site of the original structure from plans which have been located in the possession of descendants of Ole Bull The cost of the materials and construction shall be paid out of appropriations made to the Department of Forests and Waters for park purposes

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 408 and 409 of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interestate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" are hereby further amended to read as follows

Section 408 License Fees Generally The commission shall charge and collect license fees from milk dealers on a yearly basis as follows Where a milk dealer received produced or brought within the Commonwealth during the calendar year preceding the period for which the license is issued a daily average total quantity of milk

(1) Not exceeding twenty (20) pounds a license fee of one dollar ($1.00)

(2) Exceeding twenty (20) pounds but not exceeding one hundred (100) pounds a license fee of three dollars ($3.00)

(3) Exceeding one hundred (100) pounds but not exceeding five hundred (500) pounds a license fee of ten dollars ($10.00)

(4) Exceeding five hundred (500) pounds but not exceeding one thousand (1,000) pounds a license fee of fifteen dollars ($15.00)

(5) Exceeding one thousand (1,000) pounds but not exceeding two thousand (2,000) pounds a license fee of thirty dollars ($30.00)

(6) Exceeding two thousand (2,000) pounds but not exceeding three thousand (3,000) pounds a license fee of forty dollars ($40.00)

(7) Exceeding three thousand (3,000) pounds but not exceeding four thousand (4,000) pounds a license fee of fifty dollars ($50.00)

(8) Exceeding four thousand (4,000) pounds but not exceeding five thousand (5,000) pounds a license fee of sixty dollars ($60.00)

(9) Exceeding five thousand (5,000) pounds but not exceeding seven thousand five hundred (7,500) pounds a license fee of seventy-five dollars ($75.00)

(10) Exceeding seven thousand five hundred (7,500) pounds but not exceeding ten thousand (10,000) pounds a license fee of one hundred dollars ($100.00)

(11) Exceeding ten thousand (10,000) pounds but not exceeding fifteen thousand (15,000) pounds a license fee of one hundred fifty dollars ($150.00)

(12) Exceeding fifteen thousand (15,000) pounds but not exceeding twenty-five thousand (25,000) pounds a license fee of two hundred dollars ($200.00)

(13) Exceeding twenty-five thousand (25,000) pounds but not exceeding fifty thousand (50,000) pounds a license fee of three hundred dollars ($300.00)

(14) Exceeding fifty thousand (50,000) pounds but not exceeding one hundred thousand (100,000) pounds a license fee of five hundred dollars ($500.00)

(15) Exceeding one hundred thousand (100,000) pounds but not exceeding two hundred fifty thousand (250,000 pounds a license fee of one thousand dollars ($1,000.00)

(16) Exceeding two hundred fifty thousand (250,000) pounds but not exceeding five hundred thousand (500,000) pounds a license fee of one thousand five hundred dollars ($1,500.00)

(17) Exceeding five hundred thousand (500,000) pounds but not exceeding seven hundred fifty thousand (750,000) pounds a license fee of two thousand five hundred dollars ($2,500.00)

(18) Exceeding seven hundred fifty thousand (750,000) pounds but not exceeding one million (1,000,000) pounds a license fee of three thousand five hundred dollars ($3,500.00)

(19) Exceeding one million (1,000,000) pounds a license fee of five thousand dollars ($5,000.00)

In addition to the foregoing specific annual fee and to be added to the amount thereof the commission shall charge and collect one cent per hundredweight for the license year beginning the first day of May one thousand nine hundred fifty-four and one-half cent per hundredweight for each license year thereafter on all milk the prices of which the commission is required to fix by the mandatory provision of section eight hundred two of this act received produced or brought within the Commonwealth by the dealers during the calendar year preceding the period for which the license is issued If the dealer was engaged in the milk business during a part only of the preceding calendar year the number of hundred-weight on which the additional license fee shall be computed shall be determined by dividing the total number of hundredweight of milk as defined above received produced or brought into the Commonwealth by the dealer during the preceding license year by the number of months during which the dealer was licensed and multiplying by twelve The foregoing provisions do not apply to sub-dealers sub-handlers or stores

The commission shall charge and collect license fees from sub-dealers on a yearly basis of fifteen dollars ($15.00) for each route owned or operated at the commencement of the license period

Except as otherwise expressly provided by this act the license fee fixed by this section shall be paid before any license or any renewal thereof is issued Where a license is applied for by a milk dealer and the commission declines to grant a license to the applicant the license fee shall be charged and retained by the commission only pro rata for so much of the license year as expired prior to the issuance of the order refusing the license

Section 409 License Fees of Certain Milk Dealers Milk dealers who are not engaged in the milk business at the commencement of the license period shall pay a proportionate amount of the specific annual fee as follows

(1) For a license issued on or after August first but prior to November first three-fourths of the annual fee

(2) For a license issued on or after November first but prior to February first of the succeeding year one-half of the annual fee

(3) For a license issued on or after February first but prior to May first one-fourth of the annual fee

Milk dealers not engaged in the milk business during any month in the preceding calendar year shall submit with their application a license fee in the sum of one dollar ($1.00) and in addition thereto (1) at such time or times as the commission may fix but not more than

four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received produced or brought within the Commonwealth by such dealer during any of such months in the proportionate amount about stated and (2) shall pay monthly one cent per hundredweight during the part of the license year beginning the first day of May one thousand nine hundred fifty-four for which he is licensed and one-half cent per hundredweight during the part of any license year thereafter for which he is first licensed on all milk the prices of which the commission is required to fix by the mandatory provision of section eight hundred two of this act received produced or bought within the Commonwealth by the dealer during the preceding month The foregoing provisions do not apply to sub-dealers sub-handlers or stores

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HOLLAND. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Kephart,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Lane,	Pechan,	Walker,
Crowe,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Wood,
Haluska,	McCreesh,	Stevenson,	

NAYS—1

Holland.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 1, line 1, by inserting after "horsepower": "O.B.C. rating"; Amend Bill, Page 2, by inserting after line 2: "Section 3. The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 670, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 953, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3001 [Right of] Acquisition of Lands and Buildings Townships may separately or jointly by ordinance dedicate and set apart lands not dedicated to other public uses or purposes and may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks [parkways playgrounds playfield gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places and may borrow money and issue bonds for such purpose The provisions of this section shall not authorize the appropriation of private property outside the township limits nor the appropriation of any property belonging to or used as a cemetery or place of public worship or any public or parochial school or other educational or charitable institution or seminary] recreation areas and facilities

Townships may construct and equip new facilities upon such lands and may levy and collect such taxes or special taxes as may be necessary to pay for the same and make appropriations for the construction improvement maintenance care regulation and government of the same All the costs and expenses relative to any such property acquired by two or more townships jointly shall be paid by the respective townships in such proportions as may be agreed upon by the commissioners thereof

Townships may likewise acquire private property within the limits of another township borough or city for the purpose designated in this section if the other township borough or city shall by ordinance signify its consent thereto

Section 2 Sections 3002 3003 3004 3005 3006 3007 and 3008 of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby repealed

Section 3 Sections 3009 3010 3011 3012 3013 and 3014 of the act as reenacted and amended or added by the act ap-

proved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 3009 [Power to Maintain Park and Recreation Boards] Creation of Recreation Board Townships may improve maintain and regulate [recreation places] public parks recreation areas and facilities and conduct recreation programs

The authority to supervise maintain and regulate [recreation places] parks recreation areas and facilities may be vested in any existing body or board or in a park board or recreation board as the township commissioners may determine The township commissioners may equip operate and maintain the [recreation places] parks recreation areas and facilities as authorized by this act and [may] shall for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

If the township commissioners shall determine that the power to equip operate and maintain parks recreation areas and facilities shall be placed in a recreation board such board shall possess all the powers and be subject to all the responsibilities of the commissioners under this article The recreation board shall with the approval of the commissioners exercise its powers and duties in establishing standards policies qualifications and salary schedules for all classifications of recreation employes Whenever boroughs cities counties townships school districts or any of them wish to develop a cooperative plan of recreation service with a township the recreation board shall have the power to adjust the personnel standards policies qualifications and salary schedules as established to meet the terms of a joint operation agreed upon

Section 3010 Composition of Park or Recreation Boards [Appointment and Personnel Of If the township commissioners shall determine that the power to equip operate maintain and regulate recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the township commissioners under this act Such] Park or recreation boards when established shall consist of five or seven persons and when established in a township having a school board two of the members shall be members or appointees of the school board The other members of such boards shall be appointed by the commissioners of such township [except that provision may be made that two of the members of the board may be appointed by the board of school directors of the township] The members of the board shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the [term of one member] terms of not more than two members shall expire annually thereafter Members of such board shall serve without pay [Women shall be eligible for appointment] All persons so appointed shall serve their full terms unless they shall voluntarily resign or be removed by the township commissioners for malfeasance or nonfeasance of duty Vacancies in such board occuring otherwise than by expiration of term shall be filled for the unexpired term in the same maner as original appointments

Section 3011 Organization of Park or Recreation Boards Powers and Duties Delegated to the Board by the Commissioners The members of a park board or recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this article Such [boards] board shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction Its jurisdiction shall include the right to select employe and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to the township commissioners including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met

Section 3012 [Expenses of Operation and] Maintenance and Tax Levy All expenses incurred in the maintenance and operation of such [recreation places] parks recreation areas and facilities established as herein provided shall be payable from the treasury of such township or borough city county or school district as may be provided for by the agreement of the corporate authorities The township commissioners of such township may annually appropriate and cause to be raised by taxation an amount necessary for the purpose of maintaining and operating the parks recreation areas and facilities and programs The township commissioners may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [recreation places] the parks recreation areas and facilities and the programs thereon

Section 3013 [Joint Acquisition and Maintenance of Public Parks Playgrounds Recreation Centers Et Cetra] Joint Ownership and Maintenance Townships may jointly with cities counties boroughs other townships of either class or any combination or number of such units acquire property for operate and maintain any [recreation places] parks public recreation areas and facilities Any school district may join with the township in equipping operating and maintaining [recreation places] parks public recreation areas and facilities and may appropriate money therefor

Section 3014 Issue of Bonds The township may incur indebtedness and may issue general obligation bonds for the purpose of acquiring lands or buildings for [recreation places] parks and recreation areas and the equipment thereof

Section 4 Article XXX of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended by adding after Section 3014 two new sections to read as follows

Section 3015 Plan of Parks Recreation Areas and Facilities Every township shall have a general plan of its parks recreation areas and facilities including those which may have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township All subdivisions of property thereafter made shall conform thereto The location of parks recreation areas and facilities laid out and confirmed by the township commissioners shall not afterwards be altered without the consent of the commissioners and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the township until approved by the township commissioners

No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located park or recreation area after the same shall have been located or ordained by the township commissioners.

Section 3016 Lands for Planned Parks and Recreation Areas to Be Appropriated Within Three Years Whenever any park parkway or recreation area may hereafter be superimposed upon the confirmed plan of the streets parks and recreation areas of any township in the sections not entirely built up by ordinance of the township unless an ordinance actually appropriating the land within the lines of said park parkway or recreation area to public use is duly passed by the township commissioners thereof or the land is acquired by the township commissioners within three years from the passage of the ordinance superimposing the plan upon said land said ordinance superimposing the plan upon the land shall be void and of no effect and the plan shall be automatically removed from the land as if it had never been placed thereon nor shall any plan again be superimposed on the land without an accompanying ordinance condemning it to public use

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Pselor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1009, Printer's No. 188.

House Bill No. 1075, Printer's No. 140.

House Bill No. 1079, Printer's No. 141.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 334 CALLED UP

Mr. MAHANY. Mr. President, I call up from the Third Reading Calendar Senate Bill No. 334, Printer's No. 51, which went over in its order temporarily, and ask that it be considered for third reading and final passage.

BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 334, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making the Milk Control Commission a departmental administrative commission in the Department of Agriculture and prescribing its powers and duties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I would like to make a short statement regarding this bill.

Mr. President, Senate Bill No. 334 would place the Milk Control Commission under the Department of Agriculture. This bill was sponsored by myself and Senator Dent to implement the recommendations of the Government Survey Committee.

Mr. President, this is one of the bills on which we had a hearing. At that hearing, we took testimony from various individuals, including Mr. Horst, the Secretary of Agriculture, and most of them agreed that the Milk Control Commission was doing a good job, and as far as the machinery of this commission was concerned that by placing it under the Department of Agriculture, the machinery of it could not be improved. It was thought, however, that perhaps this particular department, in serving the people, should become more self-sustaining than it is now.

Mr. President, after some conferences, Senate Bill No. 548 was drawn, and introduced by Senator Hare and Senator Madigan, which would really out-Chesterman Mr. Chesterman. By the Senate Bill No. 548, which we passed just a short time ago, that bill would increase the amount of revenue of the Commonwealth by $260,000. There is only left now a difference between what it actually takes to operate the Milk Control Commission and the amount which it is estimated they will take in, of $188,000.

Therefore, Mr. President, under the circumstances, I am going to vote "no" on Senate Bill No. 334.

Mr. LANE. Mr. President, this piece of legislation is of vital importance to quite a number of my constituents in my two counties of Washington and Greene. I have checked with a number of the milk producers, both in Washington County and Greene County, and they take the position that the Milk Control Board is doing a good job for the people and for the dairymen.

Therefore, Mr. President, I am going to oppose this piece of legislation.

Mr. President, they also take the position that they feel that should it be merged with the Department of Agriculture, Miles Horst cannot even run that department alone, without controlling the Milk Control Commission. Therefore, I am going to vote against this legislation.

Mr. HOLLAND. Mr. President, I had promised that I would not talk on this bill, but I am forced to talk on the bill when the Majority Leader states that the Milk Control Commission is doing a fine job. It may be doing a fine job for the farmers and the producers and the distributors, but as far as the actual users of milk are concerned, up to date all the hearings have been a farce. What they did was to go in and have a hearing and then, like giving a man a meal before they hang him, they increase the milk with an order.

Mr. President, I take issue with the Majority Leader. It would cost more than $180,000 to the State. It will cost close to a quarter of a million dollars.

Mr. President, I cannot see why today, especially after the last election when free enterprise was the main cry,

we have to resort to a system that is used by the Communists in Russia. In the Department of Agriculture in Russia, they are put into what they call trusts. They fix a price for the producer, for the distributor and, also, a price to the user. This is exactly what we are doing in the Milk Control Bill. We are taking out and fixing a price which the farmers pay, which the producers pay, which the distributors pay and which the user pays for the milk. This, I believe, is all contrary to the American way of life.

Mr. President, I believe we should meet competition on a competitive basis. I am certainly surprised that the gentleman now coming over would have his name on such a bill which is out-and-out socialism. If this case is carried to an extreme, there is no reason why we should not go into the steel mill, into the glass mill, the glass industry, and also into textiles, because textiles today are in very bad shape. They are in about as bad shape today as the agriculturists were in 1933, when this bill was first passed.

Mr. President, this bill was created by the depression, because the people did not have money with which to buy milk. They tried to make up some way to assist them, by which they would protect the farmer from killing his herd and being thrown completely out of the milk business. I am afraid that every industry that is sick—and I pay particular interest to the coal industry. I think the hard coal region should come in with a bill in which they would create a coal commission to protect the coal industry. I think the textile industry, which is in bad shape, should come in with a bill. The glass industry, which is come cases their business is not so good, should come in with a bill.

Mr. President, this is the start of straight out-and-out control of markets of supplies, and I am really surprised that the Republican Party has placed their strength and their power and their votes behind such a bill, when they have practically denounced the same system during the depression when anything was done to correct some of the evils of the depression. Today, we are not in a depression; we are in high employment. If we cannot run our industries, like agriculture, in high employment. I do not know what we are going to do when we have less employment. I think that it is a bad thing. I think the public should not be taxed in this bill, which they will be.

Mr. President, I know there is no use in my saying I sincerely hope that the Republicans will go along with doing away with the Milk Control Commission, because they have already voiced their opinion on that now. However, I hate to hear the Majority Leader get up and state that this is a good bill because now it is only going to cost the pople $180,000, which is a quarter of a million dollars by actual figures. Anything which costs the people money is not a good bill.

Mr. LANE. Mr. President, it only takes two Democrats to start an argument, and I guess we will have to disagree. I say that today we need the Milk Control Commission more than ever, because we are being confronted with a depression since the Republicans have taken over our National administration.

Mr. President, it seems to me that the Milk Control Commission was, in itself, a creature of the Earle Administration. I would like to inform the distinguished gentleman from Allegheny that I was born and reared on a farm, and I know very well that if we did not have some security, we would not go into the milk business. Unless our farmers have some security and are guaranteed a sufficient income, they will not go into the milk business. I can tell you that. I say also, if you carry through with your position, Senator Holland, you are opposing price supports. We must have those things in order to bring about a stable economy.

It seems to me, Mr. President, that we should vote against this legislation, not because of any political reasons, but to protect the milk industry which is of vital importance to the people of Pennsylvania.

Mr. HOLLAND. Mr. President, to correct the gentleman from Washington County, I think I carried more milk on my arm in a can when I was a boy, selling it at five cents a quart, than he ever carried himself.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—6

Holland,	McCreesh,	Silvert,	Stiefel,
Leader,	Ruth,		

NAYS—31

Berger,	Harney,	Mahany,	Taylor,
Chapman,	Kephart,	Mallery,	Wade,
Crowe,	Kessler,	McCusker,	Wagner,
Diehm,	Kopriver, Jr.	McPherson, Jr.	Walker,
Fleming,	Lane,	Pechan,	Watkins,
Freed,	Letzler,	Propert,	Watson,
Haluska,	Madigan,	Snowden,	Wolfe,
Hare,		Stevenson,	Wood,

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 13, Printer's No. 144.
Senate Bill No. 96, Printer's No. 220.
Senate Bill No. 199, Printer's No. 231.
Senate Bill No. 208, Printer's No. 222.
Senate Bill No. 236, Printer's No. 223.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 281, on second reading, entitled:

An Act to add section 684.1 to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it unlawful for officers or employes of the Commonwealth to drive over certain closed roads for purpose of hunting and fishing.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 289, Printer's No. 194.

Senate Bill No. 290, Printer's No. 195.

The President. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 310, entitled:

An Act to amend the title and further amend clause (h) of subsection B of section four of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by extending to the Public Utility Commission jurisdiction over rates, service and facilities of public utilities served by authorities or their agents beyond the limits of the municipalities.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. FLEMING offered the following amendment:

Amend Sec. 2 (Sec. 4), page 6, line 7, by striking out "or may become."

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 333, Printer's No. 46.

House Bill No. 334, Printer's No. 47.

House Bill No. 335, Printer's No. 48.

Senate Bill No. 402, Printer's No. 197.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 448, on second reading, entitled:

An Act to further amend section two hundred eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by clarifying the holding over after expiration of the term of office of persons appointed by the Governor and repealing inconsistent provisions.

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 450, Printer's No. 178.

Senate Bill No. 451, Printer's No. 179.

Senate Bill No. 452, Printer's No. 180.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 464, on second reading, entitled:

An Act relating to the education certification and jurisdiction of justices of the peace and aldermen conferring powers and imposing duties on the Department of Public Instruction the president judge of the various courts of common pleas and county commissioners

be re-referred to the Committee on Judiciary General.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 523, Printer's No. 232, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 525, entitled:

An Act to amend the title, and the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed,

and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing for protection against radiation; and requiring labeling of containers of dangerous substances.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Sec. 3, page 3, lines 16 to 20, inclusive, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HARE offered the following amendments:

Amend Title, page 1, line 1 of Title, by inserting after "and" "subsection (h) of Section 2 of": amend Title page 2, next to last line and last line of Title, by striking out "and requiring labeling of containers of dangerous substances."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 525, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 581, Printer's No. 235, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 655, on second reading, entitled:

An Act making a deficiency appropriation to the Judicial Department for the compensation and expenses of traveling judges of the Court of Common Pleas

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 817, entitled:

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring personso selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licenses and providing penalties" by extending the provisions of the additional tax for a limited time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 818, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 819, entitled:

An Act to further amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 462, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 497, entitled:

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 552, entitled:

An Act to further amend Section 4 of the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further regulating credit union organizations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Thursday, May 21, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:33 o'clock p. m., Eastern Standard Time, until Thursday, May 21, 1953, at 2:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 20, 1953

The House met at 3:30 p. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend CHARLES F. TRUNK, Jr., guest Chaplain and Pastor of the Bethlehem Lutheran Church, Harrisburg, offered the following prayer:

O God, we praise Thee for the unity of Thy Spirit as we see it throughout all of Thy creation, and we pray for singleness of heart and mind for ourselves.

Make us one in purpose though varied in opinion, so that we can unite in action for the welfare of all.

May the people of our Commonwealth help rather than harass these men and women who represent them. Let us hear Thy voice lest we listen to and become ourselves "Spokesmen for Satan."

Make us one, O God, make us one. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, Tuesday, Wednesday and Thursday, May 11, 12, 13 and 14, 1953? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Mr. VARNER. HOUSE BILL No. 1342.

An Act to amend Sections 631 and 632 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provision applicable as well to private and parochial school; amending, revising, consolidating and changing the laws relating thereto," by temporarily increasing the indebtedness limitations of certain fourth class school districts.

Referred to the Committee on Education.

By Mr. SCOTT. HOUSE BILL No. 1343.

An Act to further amend Section 4 of the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by increasing the State tax upon the sale or gift of cigarettes by dealers.

Referred to the Committee on Ways and Means.

By Mr. HEWITT. HOUSE BILL No. 1344.

An Act to provide revenue by imposing an excise tax on the occupany of rooms in hotels, inns, motels, tourist homes, houses or courts, lodging houses and rooming houses defined herein as hotels; providing for the assessment, collection and lien of the tax; requiring hotel operators to file returns; imposing duties on prothonotaries and prescribing penalties.

Referred to the Committee on Ways and Means.

Mr. HEWITT. HOUSE BILL No. 1345.

An Act to provide revenue by imposing a State mercantile license tax on persons engaging in certain occupations and businesses; requiring such persons to make returns; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeals therefrom; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and prescribing penalties.

Referred to the Committee on Ways and Means.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 51

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 15, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 51, Printer's No. 170, entitled "An Act making a deficiency appropriation to the Department of Mines for the purpose of administering the provisions of 'The Coal Mine Sealing Act of 1947'," in the amount of $30,000.

JOHN S. FINE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 583, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the

Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating speed designating a traffic court further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 600, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employe's Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 664, entitled:

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BRETH offered the following amendment:

Amend Sec. 1 (Sec. 13), page 3, line 1, by striking out "concrete" and inserting in lieu thereof: "cylindrical terra-cotta.'

On the question,

Will the House agree to the amendment?

Mr. KRATZ. Mr. Speaker, in putting an amendment like this to my bill I would say that the thing is absolutely ridiculous. While I do not know whether it is illegal or not, I guess any amendment in a befuddled law is legal, but to say that a concrete pipe has to have the same specification as a terra cotta pipe is simply something that cannot be done.

I might cite an example. In Africa for a good many years they have had an animal known as a zebra. It is something like a Missouri jackass, but it has stripes. Now, if we would require mules that are bred in Mr. Truman's state of Missouri to have stripes the same as a zebra, that is about the comparative situation which the clay type monopoly is trying to impose upon the concrete pipe industry.

It is something that you cannot debate, because it is just the same as trying to say that something made of steel must have the characteristics of wood, or any other medium that we might work in must have the characteristics of a medium entirely different. And since the amendment is simply proffered to kill the concrete pipe bill, and that is just what it would do, because we could not make concrete pipe with the same characteristics that we have in clay tile. I, therefore, ask this House to use the rule of reason and vote down this amendment.

Mr. BRETH. Mr. Speaker, I am very glad the gentleman used the comparison between zebras and mules, because if I wanted the zebra to do the work of a mule, I would certainly change his stripes, for that is the only way I could get him to do the work.

In this instance, this bill asks that concrete pipe do the same work as terra cotta pipe, and the bill specifies very innocently that concrete pipe shall be used, meeting the present specifications of the American Society for Testing Materials for concrete sewer pipe. All I ask of this amendment is that if a concrete pipe is to do the same work as a terra cotta pipe that it meet the specifications of the American Society for Testing Materials for terra cotta pipe.

Now, let us go into the A S T M specifications, and I think the Members of the House are very much interested, and will be glad to know just how they differ.

As the gentleman who just spoke, one of the sponsors of the bill, knows the A S T M specifications for concrete pipe boiled down to their basic fundamentals are a weight test, that this size concrete pipe used for house sewer connections will not break under the weight of three feet of dirt placed on top of it.

The A S T M specifications for terra cotta pipe say that the pipe shall not break under three feet of dirt for the weight test, but also it shall be made impervious to house sewer acid and gas. That, gentleman, is what we are concerned with when we put in house sewer connections. Once the thing is three feet underground it is too late.

It is up to the Members of this House to protect the property owner, and particularly the small property owner who is going to pay the bill eventually for any repairs. If you authorize a substitute, for Heaven's sake, let us make it equal in quality to this article which is now being used and approved. That is fair, and it is simple, and the A S T M recognizes it.

The A S T M does not specify nor approve concrete for house sewer connections. They only approve it for a certain weight of dirt on top of it. Terra cotta pipe, according to A S T M standards says it must be made impervious to house sewer acid and gas.

If the concrete pipe business cannot make a pipe that is impervious to house sewer acid—and I insist that is what is at stake here,—well then we, the representatives of the people of the state of Pennsylvania, and all the small householders who are going to have to use this material, should certainly protect them and see that the two products are as equal in quality as we can make them.

Mr. Speaker, I wish to ask the Members of this House

to consider that one angle, let us get equal quality if we plan a substitute to do a job.

Mr. KRATZ. Mr. Speaker, there is no question about concrete pipe not being equal of terra cotta pipe. The specifications on terra cotta pipe, that portion of sewers that is made of terra cotta pipe, and the basis on which my opponents are fighting this bill refer specifically to the laterals that connect the house to the main sewer lines. There are far more sewer lines here in Pennsylvania made of concrete, the large sewer lines, than there are terra cotta. Terra cotta cannot be used in any of the digestion plants where the sewage is reduced to a liquid that can be safely put into our streams.

As to the ASTM making a specification for characteristics of the pipe as to their acid-resisting conditions, I want to quote from the Wisconsin State-wide Survey Report on the Effects of Sewage on Sewer Pipe. They say in this survey:

> No evidence was found where the characteristics and behaviors of domestic sewage has destroyed any sewer pipe. We conclude that any kind or size of sewer pipe within the well designed sewage system will withstand the action of domestic sewage.

Our opponents claim that domestic sewage is acid in its nature and will destroy anything but terra cotta pipe. They further say that terra cotta pipe is impervious to these acids.

Now, Members of the House, that is not the case. Terra cotta pipe is pervious to water for its entire thickness until it comes up against a very minute glazed surface, which is glazed by salt on the outside of the pipe. That glazed surface, I do not believe is more than one sixty-fourth of an inch on the pipe. It can readily be broken and is broken when the pipe is put in general service many, many times. It depends entirely on the thickness of the pipe to resist anything that goes through it, either by chemical action or by the flowing of water or abrasive action through the pipe. Here in Pennsylvania we have four or five installations of concrete in sewage systems, digesters and that sort of thing that have been in service over fifty years.

From my own experience in digging up terra cotta pipe on my own place I find pipe that has been down about fifty years, there is nothing left but a chalk-like substance of a pipe. It is very readily crushed if you put a load over it and the glaze has simply gone away It is there in patches on the pipe

In letting the people of Pennsylvania have an opportunity to choose what kind of pipe they want and not put them at the mercy of a monopoly, I feel that this bill is in the interest of the general public and will do a better job than the terra cotta pipe. I would, therefore, ask again the support of the Members to vote down this amendment

Mr. TOMPKINS. Mr. Speaker, on the issue now before the House, as the gentleman from Clearfield so aptly stated, all we are asking for is equality.

In the case of terra cotta pipe, terra cotta pipe carries with it a fifty-year guarantee for the services for which it is intended. The service for which pipe is intended in the bill before the House is the carrying of sewage.

Sewage contains certain acids and emits certain gases which are destructive to the pipe structure carrying that sewage.

In the case of concrete pipe, there is no guarantee as to the time that it will hold up. In many cases it has fallen down in just a few years, and perhaps you can find some cases where it has existed for a fifty-year period, but there are no guarantees that go with it.

I would like to call the attention to the House to the fact that there may be some isolated instances where concrete pipe is used for these purposes in the state of Pennsylvania, but I do not think there are any city engineers who have to do with sewage disposal who are approving concrete pipe for the purposes for which this bill is intended.

As a matter of fact the specifications of our own Highway Department, which can be checked, the Department of Highways Specifications written in 1950, referred to in Section 7-1, Division 7, page 373, provides for underground drainage on our highway system.

> The pipe shall be first quality, perforated vitrified Clay, craddle-invert vitrified clay, porous cement concrete pipe, or perforated corrugated metal pipe, except"—and this is the important factor in this specification and is important with the argument which we have in connection with the acids— "porus cement concrete pipe and perforated corrugated metal pipe shall not be used where in the opinion of the engineer acid water will be encountered."

That is our own Pennsylvania Highway Department's specification regarding the use of certain types of pipe where acids exist.

I would like also to call your attention to the fact that on May 25th the Pennsylvania Turnpike Commission will open bids on Sections 32B on the Eastern Extension of the Turnpike. This section is located in Montgomery County.

When the Pennsylvania Turnpike field engineers checked the contents of the stream on the right-of-way, it was discovered that it contained domestic sewage. In order to enclose this open stream for a distance of 328 feet, as called for in Contract No. 408, Section 32B, the Turnpike engineers have specified 328 feet of reinforced concrete pipe, vitrified clay lined.

When queried as to why the Turnpike engineers deemed it necessary to use vitrified clay lined reinforced concrete pipe instead of just plain reinforced concrete pipe, their reply was that it is necessary to line the concrete pipe to protect it from sewer acids and gases such as are prevalent where domestic sewage is encountered.

The 328 feet of reinforced concrete pipe, vitrified clay lined referred to in Pennsylvania Turnpike proposal Form for Contract No. 408 on page 11, is item No. 65bb.

I should also like to call your attention to a report in the April 3, 1952 Engineering News Record, wherein it was stated:

> Work is nearing completition on an 8-mile stretch of plastic-lined reinforced concrete sewer outfall in southern California." This is the important part, "Purpose of the lining is to protect the concrete from deterioration as a result of attack by hydrogen sulfide or other gases developed in the long relatively flat line."

All we are asking for, and all this amendment is designed to accomplish, is that where pipe is intended to be used for sewer outlets from our homes, that they all be required to meet the same standards in order to protect

the home owner from having to make replacements more frequently than once in fifty years.

Mr. KRATZ. Mr Speaker, I read from a report, a technical memorandum, under date of January 1, 1953, given to the members of the American Concrete Pipe Associaton.

Hydrogen sulfide generation is related to sulfates in water supply systems.

These questions were directed to three well known sanitary engineers, one on the west coast, one in Chicago, and one on the east coast. Questions and answer they are, all in substantial agreement but stated in different language and are transmitted herewith for your information.

These engineers say that unless the sewage system is so long that the sewage flows in the pipes for a period greater than two days, the increase in sulfide content wonld appear to have little or no effect on the production of sulfides in the down-stream portions of very large sewage systems.

They have not found that there is any deterioration from sewage in concrete. The contracts on the Turnpike from Harrisburg east to the King of Prussia have all used concrete pipe without any liners of any kind, whether they be plastic liners or terra cotta liners. Every disposal basin along that line at every service station is concrete, and no liners are in it. To the best of my knowledge that type of construction was even carried to the west, from Carlisle to the original western termination. I know of no deterioration in those sewerage systems. The big systems in Philadelphia are all concrete, all of the digestive tanks, no liners in them.

Of course modern trend would attempt to consider plastic liners in any kind of pipe, so that they might cut down the erosion and eliminate any acid conditions that might possibly exist. Now that is the modern trend in design. But there is nothing modern about putting a terra cotta liner in a reinforced concrete pipe. That looks to me just like another attempt of a monopoly to get what was a good piece of construction some years ago, or a good construction medium, into modern construction. Sure, the terra cotta people do not want to lose their market, but why make people pay for something that they do not have to have.

I again submit to you that the people of Pennsylvania should have a choice and should not be bound by the terra cotta monopoly.

I again ask the Members of the House to vote down this amendment.

Mr. BRETH. Mr. Speaker, I think when we pass legislation that is going to become law we should consider facts and be guided accordingly. Hearsay I do not believe has any more value here than it does in a court of law. So I want to present one fact that I think is vitally important so far as this amendment is concerned.

I have here a guarantee for 50 years issued by the Clay Sewer Pipe Association of Pittsburgh, Pennsylvania, individually and collectively. For every installation of clay sewer pipe and fittings it has asked or required,—and the 50 years guarantee states that it is proof against impairment for service injury or failure caused by chemical decomposition or chemical disintegration resulting from transmission of or attack by sewage, drainage, industrial waste, mine waters of any nature whatsoever.

The terms of this warranty and guarantee apply whether or not the sewage, drainage, or industrial waste contain or produce free alkali or acids, excepting only hydrofluoric acid. Now the guarantee for 50 years is a fact.

I want to ask if it will be said here on the floor whether or not any guarantee will be given for house concrete pipe sewer connection.

Let us not take a chance on the small home owner. Let us have some proof, let us deal with facts. Here we guarantee him 50 years of service. What can he be guaranteed with a substitute that under this bill will not be made anywhere equal or approaching the equal of terra cotta pipe? I ask that this amendment be adopted.

Mr. PETROSKY. Mr. Speaker, I do not want to prolong to a great length the debate upon the amendment. I realize we have all gone far afield in discussing the bill and not the amendments.

However, I want to make this one pertinent observation; the very effect of the amendments offered by the gentleman from Clearfield, Mr. Breth, is to nullify the very proposal that is before us today. I am against these amendments, and would rather discuss at length on third reading the merits of the legislation that is before us. I would like to ask the Members on both sides of the House to act in fairness to the proposal that is before us. It is not one that mandates the use of one product or of another product, but one that states that there is a possibility for a person to use another product.

The amendment in itself would completely destroy the very effect of the proposal before us. That is the consideration that I think we should give to the legislation on third reading and final passage when the merits of the bill will be discussed pro and con.

I would like to ask the membership of both sides of the House to vote down this amendment.

Mr. KRATZ. Mr. Speaker, I do not want to say this: There are concrete installations in the United States some of them 111 years old, 82 years old, 50, 25, 20, 31, 86, and 78—there all over the map. They are much older than terra cotta pipe, and as for this guarantee, we have often said that the various guarantees are simply pipe dreams, and this is one of them.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, thirty-six Members voting in the affrmative and seventy-five in the negative, the question was determined in the negative, and the amendment was not agreed to.

On the question recurring,

Wll the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 732, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation

education training aids and maintenance of civil air patrol aircraft

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 833, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing annual assessments in lieu of triennial assessment for cities of the third class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1059, entitled:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified coopies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any foreign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint-stock associations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1126, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1188, entitled:

An Act to further amend Section 3 of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1252, entitled:

An Act to amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by defining imprisonment making the crime of prison breach a felony and fixing the penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the busines of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest

and charges on loans and prescribing penalties for the violation of this act" by increasing the minimum amount of interest and charges on loans

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 207, Printer's No. 65,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 391, entitled:

An Act to further amend subsection (e) of section 608 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing applicant and operators license requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 435, Printer's No. 210,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

MOTION TO RECONSIDER VOTE ON HOUSE BILL 573

Mr. EWING. Mr. Speaker, I move that the vote by which House Bill No. 573, Printer's No. 226, entitled:

"An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled 'An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws' by further defining real estate to be valued and assessed for taxation."

was defeated on final passage, Wednesday, May 13, 1953, be reconsidered.

Mr. GEORGE E. JONES. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. EWING vote on the final passage of this bill?

Mr. EWING. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. JONES vote on the final passage of this bill?

Mr. GEORGE E. JONES. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. POLASKI. Mr. Speaker, I rise to oppose this motion. I believe last week on Wednesday when this bill came up, one of a series of two bills the other of which is still on the calendar, we had ample discussion and debate on the bill. Several men on this side of the House participated

in the debate as well as on the other side of the House. I think the bill had ample hearing and it lost in a fair fight. I ask that the Members on both sides of the House vote "no" on this motion.

On the question recurring.

Will the House agree to the motion?

The yeas and nays were requested by Messrs. READINGER, JIM and MAXWELL.

Mr. ANDREWS. Mr. Speaker, in this particular situation I must plead surprise. I thought the matter was to be decided by a voice vote.

Mr. SARRAF. Mr. Speaker, I feel the same way as does the Leader of the Minority. I thought this was going to be a cut and dried thing, but since there was a call for a vote, I could not go along with the vote.

MOTION TO RECONSIDER VOTE WITHDRAWN

Mr. EWING. Mr. Speaker, I withdraw my motion to reconsider the vote by which House Bill 573 was defeated on final passage.

Mr. GEORGE E. JONES. Mr. Speaker, I withdraw my second to the motion.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1206 as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing filing fees for nomination petitions of jury commissioners except in counties of the first or second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 913 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as last amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 302) is hereby further amended to read as follows

Section 913 Place and Time of Filing Nomination Petitions Filing Fees

* * * * *

(b) Each person filing any nomination petition shall pay for each petition at the time of filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order or also by cash when filed with the county board Whenever a petition is to be filed with the county board the person filing the same shall pay the filing fee in cash or by a certified check or money order to the county board All moneys paid on account of filing fees shall be transmitted by the county board to the county treasurer and shall become part of the General Fund Certified checks or money orders in payment of filing fees shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars ($50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars ($35.00)

3 If for the offices of senator or representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector or county auditor in counties of the eighth class the sum of twenty-five dollars ($25.00) if for the office of jury commissioner in a county of the first or second class or associate judge the sum of ten dollars ($10.00) if for the office of county auditor in counties of the eighth class the sum of five dollars ($5.00) if for the office of jury commissioner in counties other than those of the first or second class or prison inspector the sum of two dollars ($2.00) if for the office of district councilman in a city of the first class the sum of twenty-five dollars ($25.00) if for any office to be filled by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars ($25.00) if in a city of the second class A fifteen dollars ($15.00) and if in a city of the third class ten dollars ($10.00)

4 If for any borough town township of the first class school district or poor district office not otherwise provided for the sum of two dollars ($2.00)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars ($10.00)

8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)

Provided however That no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public officer in any township of the second class

Mr. LOVETT. Mr. Speaker, I would ask that the sponsor of the bill explain the reason for the bill and why the two counties are exempt.

The SPEAKER. Wil the sponsor of House Bill 1206, Printer's Number 260, permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the gentleman please explain why the two counties are exempt under the bill?

Mr. HELM. Mr. Speaker, under the present law the filing fee for a jury commissioner is now $10 state-wide. In counties of the first and second class they are paid a salary of between $5,000 and $6,000 a year, whereas in counties below second class their salaries range anywhere from $750 down to about $300.

Mr. LOVETT. Mr. Speaker, from $750 to $300 a year?

Mr. HELM. Yes sir, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I understand that the salary now has been changed in some counties whereby the jury commissioner receives more than that.

Mr. HELM. More than what, Mr. Speaker?

Mr. LOVETT. More than $700.

Mr. HELM. Mr. Speaker, I cannot answer that. I took the information from the Pennsylvania Manual and in most cases they are paid per diem—I think in the higher class counties.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, O. O., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 91, Printer's No. 175,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 125, as follows:

An Act to further amend section 2103 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting sick leaves of firemen to be accumulated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2103 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by the act approved the seventeenth day of July one thousand nine hundred fifty-one (P. L. 1008) is hereby further amended to read as follows

Section 2103 Platoon System Hours of Service Vacation Sick Leave The director of the department having charge of the fire bureau in each city shall divide the officers and members of companies of the uniformed fire force in the employ of such cities and any other firemen and drivers regularly employed and paid by the city excepting the chief engineer and assistant chiefs and those employed subject to call into two bodies or platoons to perform service during such hours as the director shall fix except as herein otherwise provided The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon and the hours of day service shall not exceed fifty hours in any one calendar week and the hours of night service shall not exceed seventy hours in any one calendar week unless the hours of day and night service shall be equalized in which case neither the hours of day or night service shall exceed sixty in any one calendar week Provided That for the duration of any war in which the United States is engaged and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service at the same rate as paid for regular service in excess of such maximum hours of service The employes of such fire forces shall be allowed to have at least twenty-four consecutive hours of rest in every calendar week to have an annual vacation of not less than fourteen working days and shall be entitled to fourteen days sick leave annually which may be accumulated for a period of three years without diminution of the salary or compensation fixed by ordinance In cases of riot serious conflagration times of war public celebrations or other such emergency the chief engineer of the bureau of fire or the assistant chief deputy or chief officer in charge of any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary No member of any of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shifts bodies or platoons or fourteen hours in the night shifts bodies or platoons excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of emergency as above provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shal the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,

Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Bomberger,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C.,
Geer,	Markley,	Schmidt,	Speaker
Gibson,			

NAYS—1

Bower,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 167, as follows:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public offices collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for depositions discovery and inspection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other acounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1302 Powers and Duties of Escheators Appointed by the Department of Revenue Escheators appointed by the Department of Revenue under the provisions of this act shall exercise the powers and perform the duties heretofore exercised and performed by escheators appointed by the Auditor General in connection with the recovery or collection of escheated property real or personal including the following

* * * * *

(b) Whenever he shall have been commissioned by the Department of Revenue of and concerning any property real or personal escheated or supposed to have escheated to the Commonwealth he may apply by petition to the court having jurisdiction in the premises to hear and determine whether an escheat has occurred or not He shall in his petition set forth the facts of his appointment the nature and character of the alleged escheat and as far as he conveniently can the location character and amount of property real and personal alleged to have escheated together with the name and address of the person or persons having the same in his or their possession The escheator may join in one petition any number of items though held for different persons A copy of the petition shall be served within the time and in the manner provided for the service of a writ of summons or complaint in action of assumpsit under the provisions of the Pennsylvania Rules of Civil Procedure upon the person or persons having such property in his or their possession Such person or persons shall within twenty days after service of the said petition file an answer thereto setting forth name if known and last known address of every person having an interest in the property together with any other facts relative thereto of which the person or persons having such property in his or their

possession shall have knowledge Thereupon the court shall have power to proceed as heretofore in cases in which similar petitions have been filed by escheators commissioned by the Auditor General

* * * * *

Section 2 Section 1302 of said act is hereby amended by adding at the end thereof a new clause to read as follows

Section 1302 Powers and Duties of Escheators Appointed by the Department of Revenue Escheators appointed by the Department of Revenue under the provisions of this act shall exercise the powers and perform the duties heretofore exercised and performed by escheators appointed by the Auditor General in connection with the recovery or collection of escheated property real or personal including the following

* * * * *

(i) The escheator may either before or after filing a petition in escheat file a petition in the Court of Common Pleas of Dauphin County or in the court of common pleas of the county in which the defendant may be served in the manner provided for the service of a writ of summons or complaint in an action of assumpsit for depositions discovery and inspection and the procedure upon such petition shall be in accordance with the Pennsylvania Rules of Civil Procedure relating to depositions discovery and inspection

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall apply to all proceedings now pending and to proceedings hereafter instituted

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 500, entitled:

An Act to amend the proviso of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-52 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date of the proviso

On the question,

Will the House agree to the bill on third reading?

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title, by striking out "proviso of Section 3 of the Act" and inserting in lieu thereof: "act"

Amend Title, page 2, next to last line and last line of Title, by striking out "of the proviso" and inserting in lieu thereof: "within which students preparing for licensure under prior laws may take examination; and regulating pre-need burial contracts."

Amend Sec. 1, page 2, line 1, by striking out "proviso" and inserting in lieu thereof: "last paragraph"

Amend Sec. 1, page 2, line 1, by striking out "Act" and inserting in lieu thereof: "at"

Amend Sec. 1, page 2, line 3, by striking out "Act" and inserting in lieu thereof: "act"

Amend Sec. 1 (Sec. 3), page 2, line 11, by inserting after "3" "Application for License; Qualifications of Applicants—"

Amend Sec. 1 (Sec. 3), page 2, line 13, by striking out "Providing that any [Any]" and inserting in lieu thereof: "(h) Any"

Amend Bill, page 3, by inserting between lines 10 and 11: "Section 2. Section 13 of said act is hereby amended by adding at the end thereof a new subsection to read as follows:

"Section 13. Pratice Without License; Exceptions—

"* * * * *

"(c) No person, other than a licensed funeral director, shall, directly or indirectly, or through an agent, offer or contract to furnish supplies, equipment or funeral services, when needed, for a living person, or accept any money or other consideration in payment therefor."

Amend Sec. 2, page 3, line 11, by striking out "2" and inserting in lieu thereof: "3"

Amend Section 3, lines 2 and 3, page 3 by striking out the following: "First day of April, one thousand nine hundred fifty-three or the effective date of this amendment whichever is later" and inserting in its place the following: "First day of January, one thousand nine hundred fifty-three"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. SARRAF. I would like to interrogate the sponsor of the amendment.

The SPEAKER. Will the gentleman from Carbon permit himself to be interrogated?

Mr. SCOTT. I shall, Mr. Speaker.

Mr. SARRAF. Mr. Speaker, do these amendments change in any way the correction of House Bill 522 which was passed by this House in the 1951 session? That is the former Act, Mr. Speaker, that had to do with what the gentleman is trying to effect in this bill?

Mr. SCOTT. These amendments and House Bill 500 do change the act to which the gentleman is referring.

Mr. SARRAF. Do the amendments extend any privileges beyond Act 522 which was passed in the 1951 session?

Mr. SCOTT. In reply to the inquiry of the gentleman from Allegheny, I would say that they do in one particular extend the privileges, and I might add that the amendments which I have offered today meet with the approval of and make House Bill 500 acceptable to the Funeral Directors' Association.

Mr. SARRAF. Thank you very much. That is what I was particularly interested in, Mr. Speaker.

Mr. SCOTT. The amendments which were offered today now meet the requirements of the Funeral Directors' Association in House Bill 500.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 555, Printer's No. 177,
House Bill No. 562, Printer's No. 231,
House Bill No. 574, Printer's No. 221, and
House Bill No. 623, Printer's No. 232,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 638, as follows:

An Act to further amend Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by reducing the time after settlement within which the tax must be paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 823) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the suppements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust company or as a trust company under an act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors) are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof

as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two to assess such shares for taxation at the rate of eight mills upon each dollar of the actual value thereof and for the calendar year ending December thirty-first one thousand nine hundred forty-three at the rate of five mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company within a period of [sixty] thirty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be applicable to reports required to be filed in the year one thousand nine hundred and fifty-four and thereafter

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 639, as follows:

An Act to further amend Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" by reducing the time after settlement within which the tax must be paid

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (P. L. 292) entitled "An act to provide revenue by taxation" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 908) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the fifteenth day of February in each and every year make the Department of Revenue a report in writing verified as required by law setting forth the full number of shares of the capital stock subscribed for or issued as of the preceding thirty-first day of December by such bank or savings institution and the actual value thereof as of the preceding thirty-first day of December which actual value shall be ascertained as hereinafter provided It shall be the duty of the Department of Revenue to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say for the calendar years ending December thirty-first one thousand nine hundred thirty-six December thirty-first one thousand nine hundred thirty-seven December thirty-first one thousand nine hundred thirty-eight December thirty-first one thousand nine hundred thirty-nine December thirty-first one thousand nine hundred forty December thirty-first one thousand nine hundred forty-one and December thirty-first one thousand nine hundred forty-two at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by

adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares It shall be the duty of every bank or savings institution within a period of [sixty] thirty days after the date of such settlement by the Department of Revenue at its option to pay the amount of said tax to the State Treasurer through the Department of Revenue from its general fund or to collect the amount of said tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of eight mills or four mills as the case may be on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the provisions of this act that have been subscribed for or issued and pay the same into the State Treasury through the Department of Revenue the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon The procedure in case the Department of Revenue be not satisfied with the report made by any bank or savings institution and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall be applicable to reports required to be filed in the year one thousand nine hundred and fifty-four and thereafter

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hersch,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 649, Printer's No. 236, and

House Bill No. 651, Printer's No. 204,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 692, as follows:

An Act to amend the act approved the eighth day of May one thousand nine hundred seven (P. L. 184 No. 146) entitled "An act to further remove the disability of a wife in testifying in cases where the husband is a party" by making husband competent witness in rebuttal under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighth day of May one thousand nine hundred seven (P. L. 184 No. 146) entitled "An act to further remove the disability of a wife in testifying in cases where the husband is a party" is hereby amended to read as follows

Section 1 Be it enacted &c That in all civil actions brought by either the husband or wife either the husband or the wife shall be a competent witness in rebuttal when his or her character or conduct is attacked upon the trial thereof but only in regard to the matter of his or her character or conduct

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—119

Adam,	Geer,	Lutty,	Rovansek,
Alexander,	Gibson,	Maguire,	Royer,
Amarando,	Glick,	Mahan,	Rubin,
Andrews,	Guss,	Maxwell,	Sarraf,
Bolton,	Gutendorf,	McCann,	Schmidt,
Bomberger,	Guthrie,	McCullough,	Seyler,
Boory,	Hamilton, R. K.,	McDermit,	Smith, W. B.,
Breisch,	Hamilton, W. H.,	McGee,	Snider,
Breth,	Harris,	McInroy,	Spencer,
Brown,	Haudenshield,	McWherter,	Stank,
Bucchin,	Hersch,	Mihm,	Stone,
Cianfrani,	Hoggard,	Mills,	Sucher,
Cochran,	Jim,	Moody,	Taylor,
Comer,	Jones, Gran'le E.	Moran,	Thomas,

Conner,	Jones, Paul F.,	Moscrip,	Thompson,
Coyle,	Jones, T. H. W.,	Murray, J. J.,	Toll,
Curwood,	Jump,	Musto,	Varallo,
Dougherty,	Kamyk,	Needham,	Vaughan,
Down,	Keller,	Olsen,	Verona,
Downey,	Kohl,	Parlante,	Wallace,
Dunn,	Kratz,	Peta,	Walsh,
Ewing,	Kubacki,	Petrosky,	Wargo,
Farabaugh,	Lafore,	Pettigrew,	Welsh,
Fenrich,	Lederer,	Polaski,	Wheeler,
Ferster,	Leisey,	Polen,	White,
Filo,	Leven,	Poltenstein,	Whitenight,
Fleischman,	Limper,	Price,	Worley,
Floyd,	Lippincott,	Quisenberry,	Yetzer,
Flynn,	Lopresti,	Readinger,	Zeitz,
Frost,	Lovett,	Reidenbach,	

NAYS—56

Banker,	Gleason,	Mathews,	Stevenson,
Barkdoll,	Gramlich,	McCormack,	Stimmel,
Baumunk,	Hall,	Metz,	Stoner,
Bear,	Helm,	Mikula,	Strausser,
Blair,	Hewitt,	Miller,	Tompkins,
Bower,	Hocker,	Moore,	Toomey,
Buchanan,	Ide,	Naugle,	VanSant,
Bullen,	Johnson,	Ogilvie,	Varner,
Clapper,	Jones, Geo. E.,	Peifly,	Wall,
Connelly,	Kent,	Ragot,	Whalley,
Davis,	Kerlin,	Reagan,	Wood,
DuBois,	Kromer,	Scott,	Yeakel,
Erb,	Light,	Shoemaker,	Ziegler,
Flack,	Markley,	Shotwell,	Smith, C. C., Speaker

NOT VOTING—32

Ashton,	Greenwood,	Munley,	Waterhouse,
Auker,	Jenkins,	Murray, P. G.,	Watkins,
Bazin,	Kline,	Pfaff,	Weidner,
Boies,	Kolankiewicz,	Phillips,	Wescott,
Capano,	Kornick,	Richter,	Willaredt,
Cioffi,	Leonard,	Rosen,	Williams,
Cooper,	Monroe,	Schuster,	Wilt,
Goodling,	Muldowney,	Schwartz,	Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the calling of the Roll.)

Mr. ANDREWS. I would like to call the attention of the Chair to the fact that the failure to answer is probably as reprehensible as a vote "present" which the chair has said he would not entertain. If Members can be present and not vote, Members certainly can be present and vote "Present".

The SPEAKER. The Chair agrees with the gentleman. Members will have to answer to their names, either vote "Aye" or "Nay". The Clerk will call the roll.

Mr. ANDREWS. I would ask, Mr. Speaker, that the roll be called from the beginning.

The SPEAKER. There has been a request that the roll be called from the beginning. The Clerk will call the roll from the beginning.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 779, as follows:

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractice Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1987) is hereby further amended to read as follows

Section 5 Licensing Present Practitioners (a) Any person of good character who has been engaged in the full-time practice of chiropractic for twenty-five (25) years or more the last five of which have been in this State prior to the effective date of this act and who was graduated from a legally incorporated and reputable school or college of chiropractic shall be entitled to take a limited examination for licensure Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty-five (25) but more than twenty (20) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent as approved by the Department of Public Instruction and in excess of eighteen hundred (1800) hours of classroom instruction in a legally incorporated and reputable school or college of chiropractic and has been graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty (20) years but more than ten (10) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent as approved by the Department of Public Instruction and not less than two thousand one hundred and fifty (2150) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has engaged in the full-time practice of chiropractic in this State for at least one (1) year but less than ten (10) years prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in chemistry biology and physics as approved by the Department of Public Instruction and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure [Provided however That application] Application to take any limited examination under the provisions of this act for licensure shall be made in such form as may be provided by the board and must be made by the applicant [within six months of the effective date of this act] before the first day of January one thousand nine hundred fifty-four

(b) Any person of good character who has engaged in the full-time practice of chiropractic in this State for

less than one (1) year prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in chemistry biology and physics as approved by the Department of Public Instruction and not less than two thousand five hundred fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall take a standard examination as provided in this act

(c) Any applicant otherwise qualified as above provided except that he has not graduated from a legally incorporated school or college of chiropractic prior to the tenth day of August one thousand nine hundred fifty-one who has taken a course of study in such subjects and for such hours not less than six hundred (600) nor more than nine hundred thirty-six (936) as are approved by the board in an incorporated school of chiropractic shall be entitled to take an examination as above provided

(d) All members of the State Board of Chiropractic Examiners whose terms of office had not expired on the date when the act to which this is an amendment was approved shall by virtue of their office receive certificates of licensure without examination The persons appointed to membership on the board to succeed members whose terms had expired before said approval date shall by virtue of their appointment receive certificates of licensure without examination

Section 2 The act is hereby amended by adding immediately after Section 5 a new section to read as follows

Section 5.1 Licensing Out-of-State Practitioners The board may grant licenses to individuals from other states and provinces of the Dominion of Canada if (1) the standards for licensing in such states or provinces are substantially the same as those provided hereby (2) similar privileges are accorded persons licensed in this Commonwealth (3) the applicants hold valid licenses and (4) the applicable rules and regulations prescribed by the board are complied with

Section 3 Section 13 of the act as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1987) is hereby further amended to read as follows

Section 13 Status of Existing Licensees and Registrants Preserved Any person licensed or legally authorized to practice chiropractic in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of chiropractic without being required to be licensed anew under the provisions of this act and as fully as if he were licensed under the provisions of this act and to that extent he shall be exempt from the penalties of this act and may remain under the jurisdiction of the State Board of Medical Education and Licensure subject to the provisions of the Medical Practice Act of 1911

Any person holding a valid license in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure prior to the tenth day of August one thousand nine hundred fifty-one may make application to the State Board of Chiropractic Examiners before the first day of September one thousand nine hundred [fifty-two] fifty-four for a license under the provisions of the act to which this is an amendment and to become subject to the provisions of said act and to the jurisdiction and control of the board to the exclusion of the Board of Medical Education and Licensure and the laws administered by it Upon the payment of a fee the amount of which shall be fixed by the department the application shall be granted a certificate of licensure shall be issued without examination the certificate of licensure in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure shall be surrendered and cancelled and the applicant shall be entitled to the rights and privileges of the act to which this is an amendment and subject to the jurisdiction of the board thereunder The board shall notify the State Board of Medical Education and Licensure of each certificate of licensure issued by it that is cancelled by the board

Section 4 Section 14 of the act is hereby amended to read as follows

Section 14 Term of License and Registration All licenses and all registrations granted under this act shall expire on the first day of September following their issuance [It shall be the duty of the board on or before the first day of June of each year to mail to every person licensed under this act a blank application form for registration] Registration may be effected at any time during the month of August following by the filing of such application with the board together with such registration fee as may be fixed by the department and satisfactory evidence that the applicant has attended during the preceding license year an educational conference as hereinafter provided Provided That the board may at its discretion register any licensee who has failed to make application for registration before the first day of September

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Harris,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varner,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 811, Printer's No. 94,

was passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE ON HOUSE BILL 573

Mr. EWING. Mr. Speaker, I move that the vote by which House Bill No. 573, Printer's No. 226, entitled:

"An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled 'An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws' by further defining real estate to be valued and assessed for taxation"

was defeated on final passage, Wednesday, May 13, 1953, be reconsidered.

Mr. GEORGE E. JONES. Mr. Speaker, I second the motion.

The yeas and nays were required by Mr. POLASKI and Mr. READINGER.

A verification of the roll was requested by Messrs. POLASKI, MORAN and READINGER.

The roll was verified and was as follows:

YEAS—89

Ashton,	Gleason,	Markley,	Shotwell,
Banker,	Goodling,	Mathews,	Spencer,
Barkdoll,	Gramlich,	McCullough,	Stevenson,
Baumunk,	Guthrie,	McInroy,	Stimmel,
Bear,	Hall,	Metz,	Stoner,
Blair,	Hamilton, W. H.,	Mikula,	Strausser,
Bolton,	Haudenshield,	Miller,	Sucher,
Bomberger,	Helm,	Moody,	Thompson,
Bower,	Hewitt,	Moore,	Tompkins,
Breisch,	Hocker,	Moscrip,	Toomey,
Buchanan,	Ide,	Naugle,	VanSant,
Bullen,	Johnson,	Ogilvie,	Varner,
Clapper,	Jones, Geo. E.,	Peifly,	Wall,
Connelly,	Jones, T. H. W.,	Phillips,	Weidner,
Davis,	Keller,	Price,	Whalley,
DuBois,	Kent,	Quiscnberry,	Wilt,
Dunn,	Kerlin,	Ragot,	Wood,
Erb,	Kratz,	Reagan,	Worley,
Ewing,	Kromer,	Royer,	Yeakel,
Ferster,	Leisey,	Rubin,	Ziegler,
Flack,	Light,	Scott,	Smith, C. C.,
Fleischman,	Lippincott,	Shoemaker,	Speaker
Frost,	Mahan,		

NAYS—60

Alexander,	Filo,	Maguire,	Polen,
Amarando,	Flynn,	Maxwell,	Readinger,
Andrews,	Guss,	McCann,	Rovansek,
Boory,	Hamilton, R. K.,	McCormack,	Sarraf,
Breth,	Harris,	McDermit,	Seyler,
Bucchin,	Hersch,	McGee,	Stank,
Cianfrani,	Jenkins,	Mihm,	Taylor,
Comer,	Jim,	Moran,	Thomas,
Conner,	Jones, Gran'le E.,	Murray, J. J.,	Toll,
Coyle,	Kamyk,	Musto,	Wallace,
Curwood,	Lederer,	Needham,	Walsh,
Dougherty,	Leven,	Parlante,	Wargo,
Downey,	Lopresti,	Peta,	Welsh,
Farabaugh,	Lovett,	Petrosky,	White,
Fenrich,	Lutty,	Polaski,	Whitenight,

NOT VOTING—58

Adam,	Gutendorf,	Muldowney,	Snider,
Auker,	Hoggard,	Munley,	Stone,
Bazin,	Jones, Paul F.,	Murray, P. G.,	Varallo,
Boies,	Jump,	Olsen,	Vaughan,
Brown,	Kline,	Pettigrew,	Verona,
Capano,	Kohl,	Pfaff,	Waterhouse,
Cioffi,	Kolankiewicz,	Poltenstein,	Watkins,
Cochran,	Kornick,	Reidenbach,	Wescott,
Cooper,	Kubacki,	Richter,	Wheeler,
Down,	Lafore,	Rosen,	Willaredt,
Floyd,	Leonard,	Schmidt,	Williams,
Geer,	Limper,	Schuster,	Yetzer,
Gibson,	McWherter,	Schwartz,	Young,
Glick,	Mills,	Smith, W. B.,	Zeitz,
Greenwood,	Monroe,		

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. How did the gentleman from Allegheny, Mr. Ewing, vote on the final passage of this bill?

Mr. EWING. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. Jones, vote on the final passage of this bill?

Mr. GEORGE E. JONES. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. POLASKI. Mr. Speaker, I will try to make it very brief.

I rise to oppose this motion again. As I said before, this bill was adequately discussed last Wednesday, well debated on both sides of the House, and had a fair chance. It was defeated, and I ask that the Members on both sides of the House vote down this motion. Mr. Speaker, I ask for a slow roll call.

On the question recurring,

Will the House agree to the motion?

BILL POSTPONED

Mr. EWING. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Pinter's No. 99,
House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150, and
House Bill No. 1003, Printer's No. 187,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1179, as follows:

An Act to provide an additional manner of taking the affidavit now required by law to be taken in cases of certiorari from aldermen and justices of the peace

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In every case where a party desires to take a writ of certiorari from any court of common pleas in this

commonwealth to a justice of the peae or alderman within ne jurisdiction of the court the affidavit now required by aw may be made before any person authorized by law o administer oaths or affirmations and when filed with he prothonotary of the court of common pleas as now equired by law shall have like force and effect as though nade before such prothonotary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeltz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1208, as follows

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" is hereby amended to read as follows

Section 2 Payment of Summary Convictions Costs by County

(a) In every case of summary conviction in which the evidence is not sufficient to convict and the defendant is dismissed the costs or fees thereof shall be paid by the county if the prosecutor is a police officer engaged as such in the employ of this Commonwealth or of any of its political subdivisions In all other cases the costs shall be paid by the prosecutor or by the defendant if so permitted by law

(b) In every case of summary conviction in which the defendant is convicted and sentencd to jail in default of the payment of the fine and costs or fees imposed the costs or fees of prosecution shall be paid by the county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson.	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McWherter,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Tompkins,
Bucchin,	Jenkins,	Munley,	Toll,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,

Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L.242) enttiled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payments by counties

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1), page 3, line 4, by striking out "on a full time basis."

Amend Sec. 1 (Sec. 2), page 4, lines 2 and 3, by striking out "on a full time basis."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objections? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection,

House Bill No. 1217, Printer's No. 213,

House Bill No. 1282, Printer's No. 263 and

Senate Bill No. 416, Printer's No. 135,

were passed over at the request of the SPEAKER.

REPORT FROM COMMITTEE

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-three, and such time as the funds provided by the General Appropriation Act and other appropriation acts become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three.

BILL ON FIRST READING

Mr. GOODLING asked and obtained unanimous consent for House Bill No. 1334 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three, and such time as the funds provided by the General Appropriation Act and other appropriation acts become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 347.

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery forgery or fraud

HOUSE BILL No. 953.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 20, 1953.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week it reconvene on Monday, May 25, 1953 at three o'clock p. m., EST, and when the House of Representatives adjourns this week

reconvene on Monday, May 25, 1953 at three-thirty clock p. m., EST.

Ordered, That the Clerk present the same to the House Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented tracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 40, 189, 259, 260, 439, 6, 510, 522, 523, 525 and 548.

COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES—Mr. Mcullough, Chairman, Room 331, Thursday, May 21, at :00 a. m. DST.

EDUCATION—Mr. Helm, Chairman, Room 324, Thursday, May 21, at 10:00 a. m. DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Thursday, May 21, at 11:15 a. m. DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Thursday, May 21, at 9:30 a. m. DST.

TOWNSHIPS—Mr. Reagan, Chairman, Room 521, Thursday, May 21, at 10:30 a. m. DST.

WELFARE—Mr. Haudenshield, Chairman, Room 330, Thursday, May 21, at 11:00 a. m. DST.

ADJOURNMENT

Mr. GRAMLICH. Mr. Speaker, I move that this House do now adjourn until Thursday, May 21, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 5:47 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., THURSDAY, MAY 21, 1953. No. 42.

SENATE

THURSDAY, May 21, 1953.

The Senate met at 2:00 o'clock p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Our Father, we come to Thee today and we know that Thou art good. We are especially glad that Thou dost hear us. We know that when we talk things over with Thee, Thou wilt give us strength to bear unusual burdens.

So as we come to Thee today, we have the great problems of State before us. We are here to help our constituents, but, above all, let us never forget that we are here to help Thee make a better world for all of us. Guide us in our thinking today; help us to do those things which will bring honor and glory to Thy Name, and peace to earth. We ask it in Jesus' Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. WOOD, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. LANE asked and obtained leave of absence for Mr. YOSKO, due to illness.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUDGE OF COURT OF COMMON PLEAS
TWENTIETH JUDICIAL DISTRICT

Commonwealth of Pennsylvnaia,
Governor's Office, Harrisburg, May 21, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Swirles L. Himes, Esquire, 222 Penn Street, Huntingdon, Huntingdon County, for appointment as Judge of the Court of Common Pleas in and for the Twentieth Judicial District, composed of the County of Huntingdon, until the first Monday of January 1954, vice Hon. Chester D. Fetterhoof, deceased.

JOHN S. FINE.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 347, entitled:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire burglary larceny theft robbery forgery or fraud

House Bill No. 953, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 20, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, May 25, 1953 at three o'clock p, m, E. S. T., and when the House of Representatives adjourns this

week it reconvene on Monday, May 25, 1953 at three-thirty o'clock p. m., E. S. T.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 125, entitled:

An Act to further amend section 2103 of the act approved the twenty-third day of June on thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by permitting sick leaves of firemen to be accumulated.

Which was committed to the Committee on Local Government.

House Bill No. 167, entitled:

An Act to amend clause (b) and to add clause (i) to Section 1302 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing that any number of items though held for different persons may be joined by an escheator in one petition in escheat providing for actions by escheators for dispositions discovery and inspection

Which was committed to the Committee on Finance.

House Bill No. 583, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for re funds," by further regulating speed, establishing a magis trates court, further prescribing enforcement and pena provisions and imposing duties on certain pedestrians.

Which was committed to the Committee on Highways

House Bill No. 600, entitled:

An Act making an appropriation from the Bankin Department Fund to the State Employes' Retiremen Board to meet the obligations of the Commonwealth t the State Employes' Retirement System with respect t State employes receiving compensation from the Bank ing Department Fund.

Which was committed to the Committee on Appropria tions.

House Bill No. 638, entitled:

An Act to further amend Section 1 of the act approve the thirteenth day of June one thousand nine hundre seven (P. L. 640) entitled "An act to provide revenue b levying a tax upon the shares of stock of companies in corporated under the provisions of section twenty-nin of an act entitled 'An act to provide for the incorporatio and regulation of certain corporations' approved Apri twenty-ninth one thousand eight hundred and seventy four and the supplements thereto for the insurance o owners of real estate mortgages and others interested i real estate from loss by reason of defective titles lien and encumbrances and of companies entitled to the benefits of and of companies having any of the power of companies entitled to the benefits of an act entitle 'An act conferring upon certain fidelity insurance safet deposit trust and savings companies the powers an privileges of companies incorporated under the provi sions of section twenty-nine of an act entitled "An act t provide for the incorporation and regulation of certai corporations" approved April twenty-ninth Anno Domin one thousand eight hundred and seventy-four and of th supplements thereto' approved June twenty-seventh on thousand eight hundred and ninety-five commonly know as title insurance or trust companies" by reducing th time after settlement within which the tax must be pai

Which was committed to the Committee on Finance.

House Bill No. 639, entitled:

An Act to further amend Section 1 of the act approve the fifteenth day of July one thousand eight hunde ninety-seven (P. L. 292) entitled "An act to provid revenue by taxation" by reducing the time after settle ment within which the tax must be paid

Which was committed to the Committee on Finance.

House Bill No. 692, entitled:

An Act to amend the act approved the eighth day o May one thousand nine hundred seven (P. L. 184, No 146) entitled "An act to further remove the disabilit of a wife in testifying in cases where the husband is party" by making husband competent witness in rebutta under certain circumstances.

Which was committed to the Committee on Judiciar General.

House Bill No. 779, entitled:

An Act to amend the act approved the tenth day o August one thousand nine hundred fifty-one (P. L. 1182 entitled "An act relating to and defining chiropractic an the right to practice chiropractic requiring licensure con ferring powers and imposing duties upon the State Boar of Chiropractic Examiners and the Department of Publi

nstruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1059, entitled:

An Act to amend Section 1 of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names; and making certified copies of their election evidence in all cases," by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name.

Which was committed to the Committee on Judiciary General.

House Bill No. 1126, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

Which was committed to the Committee on Highways.

House Bill No. 1179, entitled:

An Act to provide an additional manner of taking the affidavit now required by law to be taken in cases of certiorari from aldermen and justices of the peace

Which was committed to the Committee on Judiciary General.

House Bill No. 1188, entitled:

An Act to further amend Section 3 of the act, approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 468), entitled "An act concerning liability for participation in breaches of fiduciary obligations, and to make uniform the law with reference thereto," by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees.

Which was committed to the Committee on Judiciary General.

House Bill No. 1206, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violations of the act, codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing filing fees for nomination petitions of jury commissioners except in counties of the first or second class

Which was committed to the Committee on Elections.

House Bill No. 1208, entitled:

An Act to amend Section 3 of the act approved the seventh day of January one thousand nine hundred fifty-two (P. L. 1841) entitled "An act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases" by imposing liability for costs or fees on private prosecutors in certain cases

Which was committed to the Committee on Judiciary General.

House Bill No. 1209, entitled:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

Which was committed to the Committee on Judiciary General.

House Bill No. 1252, entitled:

An Act to amend section three hundred nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by defining imprisonment, making the crime of prison breach a felony and fixing the penalty therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12, of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by increasing the medium amount of interest and charges on loans.

Which was committed to the Committee on Banking.

HOUSE CONCURS IN SENATE BILL No. 68

He also returned to the Senate, Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 354

He also returned to the Senate, Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 391

He also returned to the Senate, Senate Bill No. 391, entitled:

An Act to further amend subsection (e) of section 608 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages, caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing applicant and operators license requirements.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 474

He also returned to the Senate, Senate Bill No. 474, entitled:

An Act to further amend Section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the the interest of public health," by providing certain exceptions to said act.

with the information that the House has passed the same without amendments.

REPORTS FROM COMMITTEES

SENATE CONCURRENT RESOLUTION

REPORTED FROM COMMITTEE

Mr. PROPERT, from the Committee on Judiciary General, to which was referred resolution offered by Mr KESSLER, on May 11, 1953, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT TO CONTINUE ITS STUDY OF THE PENAL LAWS

In the Senate, May 11, 1953.

Whereas, By direction of the General Assembly, the Joint State Government Commission has surveyed, investigated and studied the penal laws of the Commonwealth, and reported thereon to the General Assembly and

Whereas, It is deemed desirable to correct present inconsistencies and overlapping provisions in existing law and to revise and codify the said penal laws; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to continue to survey, investigate, and consider all of the penal laws of the Commonwealth and to completely revise and restate such penal laws into codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the penal laws of the Commonwealth to be introduced at the next regular session of the General Assembly; and be it further

Resolved, That the Legislature Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called upon to furnish.

Laid over for one day under the Rules.

He also, from the Committee on Judiciary General reported as committed House Bill No. 38, entitled:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal sale dispensing or giving away of drugs.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 343, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 354, entitled:

An Act to further amend the act approved the seventeenth day of April one thousand eight hundred seventy-six (P. L. 29) entitled "An act relating to appeals in cases of summary convictions" by extending the time within which appeals may be taken.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 470, entitled:

An Act to add Section 626.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale or the possession of knives, the blade of which is released by a spring mechanism, including switch blades.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 550, entitled:

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds, and the effect thereof.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 593, entitled:

An Act to establish a separate orphans' court in and for the County of Chester.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 796, eititled:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1077, entitled:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1078, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 1212, entitled

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

Mr. FLEMING, from the Committee on Local Government, reported as committed Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 596, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and extending, revising and consolidating the law relating thereto," by extending the powers of cities relating to certain tunnels, bridges and viaducts.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of such pensions," by extending the benefits to certain authorities created by such cities.

He also, from the Committee on Local Government, reported as committed House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms.

Mr. BERGER, from the Committee on Judiciary General, re-reported as amended House Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May, one thousand nine hundred twenty-five, (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting therefrom national service clubs raising funds for child welfare projects from the provisions of the act.

He also, from the Committee on Judiciary General, reported as committed House Bill No. 352, entitled:

An Act to further amend the act approved the second day of June on thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age.

Mr. KESSLER, from the Committee on Agriculture, reported as committed Senate Bill No. 31, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties;

imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including corn shellers in the definition of "Farm Tractor" and in the classification of tractors.

He also, from the Committee on Agriculture, reported as committed Senate Bill No. 572, entitled:

An Act to further amend Section 18 of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricu'tural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for filing summaries of audits, and for annulling, vacating or forfeiture of articles of association or associations failing to file such summaries.

He also, from the Committee on Agriculture, reported as committed Senate Bill No. 573, entitled:

An Act to further amend Section 17 of the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture. dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticu'ture, and other allied occupations; and providing penalties," by providing for filing summaries of audits; and for annulling, vacating or forfeiture of articles of association failing to file such summaries.

He also, from the Committee on Agriculture, reported as committed House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WOLFE, from the Committee on Executive Norinations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

JUDGE OF COURT OF COMMON PLEAS, TWENTIETH JUDICIAL DISTRICT

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Swirles L. Himes, Esquire, 222 Penn Street, Huntingdon, Huntingdon County, for appointment as Judge of the Court of Common Pleas in and for the Twentieth Judicial District, composed of the County of Huntingdon, until the first Monday of January 1954, vice Hon. Chester D. Fetterhoof, deceased.

JOHN S. FINE.

BILLS INTRODUCED AND REFERREI

Mr. WADE read in his place and presented to the Chair Senate Bill No. 604, entitled:

An Act fixing county lines in cases where boroughs are situate or through annexation become situate in more than one county, and providing a procedure for adjustment of county and institution district indebtedness and taxes.

Which was committed to the Committee on Local Govment.

Mr. WOOD read in his place and presented to the Chiar Senate Bill No. 605, entitled:

An Act to amend the title, section two and subsection (c) of section four of the act, approved the twenty-seventh day of September, one thousand nine hundred fifty-one (P. L. 1430) entitled "An act to facilitate vehicular traffice across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a conection with the Pennsylvania Turnpike Slstem, at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and procticable, to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York, between the Susquehanna and Delaware Rivers, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth, payable solely from revenues of the Commission, including tolls or from such funds as may be available to the Commission for that purpose, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds," by providing for the construction, operation and maintenance of central connection extensions.

Which was committed to the Committee on Highways.

Mr. RUTH (By request) read in his place and presented to the Chair Senate Bill No. 606, entitled:

An Act making an appropriation to the State Employes' Retirement Fund out of the General Fund.

Which was committed to the Committee on Appropriations.

He also (By request) read in his place and presented to the Chair Senate Bill No. 607, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting

annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining final salary; changing provisions relating to superannuation retirement and withdrawal; changing provisions for determining amount earnable by members of the General Assembly; authorizing members of the General Assembly to make certain payments into the State Employes' Retirement Fund and secure benefits therefrom.

Which was committed to the Committee on State Government.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 608, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by providing for determination of the annual rate of such tax by the county commissioners.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 609, entitled:

An Act to further amend Section 9 of Article IV of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by providing for the installation and use of water pipes and sprinklers to allay coal dust at certain operations in mechanized mines.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senated Bill No. 610, entitled:

An Act prescribing the quantity of power to be furnished to certain consumers by electric power companies, and conferring upon the Public Utility Commission the power and duty of enforcing the provisions of the act, and to entertain complaints, conduct hearings and investigations and make orders.

Which was committed to the Committee on Corporations.

He also read in his place and presented to the Chair Senate Bill No. 611, entitled:

An Act to further amend section 1 of Article V, and to add section 10 to Article VIII of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith," by further regulating inspection of mines by fire bosses, regulating transportation of portable machinery.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 612, entitled:

An Act to amend clause (1) of subsection (a) of Section 202 of the act, aproved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled, as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief asessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by exempting from local taxation all property owned by churches and religious groups and used exclusively for religious purposes or as living quarters for religious leaders.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 613, entitled:

An Act to amend the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by requiring shotfirers in mechanized mines to have helpers and defining the duties of such helpers.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 614, entitled:

An Act to amend clause (a) of Section 204 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by exempting from local taxation all property owned by churches and religious groups and used exclusively for religious purposes or as living quarters for religious leaders.

Which was committed to the Committee on Local Government.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 615, entitled:

An Act to amend the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion

of national banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' of private bankers and employers' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and impsing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by empowering incorporated institutions to grant certain allowances and pensions.

Which was committed to the Committee on Banking.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WOLFE asked and obtained unanimous consent for immediate consideration of the nomination reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WOLFE and Mr. MALLERY,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

The nomination was read as follows:

JUDGE OF COURT OF COMMON PLEAS, TWENTIETH JUDICIAL DISTRICT

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 21, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Swirles L. Himes, Esquire, 222 Penn Street, Huntingdon, Huntingdon County, for appointment as Judge of the Court of Common Pleas in and for the Twentieth Judicial District, composed of the County of Huntingdon, until the first Monday of January 1954, vice Hon. Chester D. Fetterhoof, deceased.

JOHN S. FINE.

A motion was made by Mr. WOLFE and Mr. MALLERY,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood.

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WOLFE. Mr. President, I move that the Executive Session do now rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on final passage, go over in their order:

Senate Bill No. 446, Printer's No. 215.

Senate Bill No. 447, Printer's No. 216.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 52 CALLED UP FROM POSTPONED CALENDAR

Mr. BERGER. Mr. President, I call up from the Final Passage postponed Calendar Senate Bill No. 52, Printer's No. 32, for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 52, on final passage, entitled:

An Act to amend clause XV, of section 1202 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further defining the powers of boroughs with regard to garbage, rubbish, sludge and other waste treatment and disposal, acting separately or jointly with other political subdivisions

be recommitted to the Committee on Local Government.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 409, CALLED UP FROM POSTPONED CALENDAR

Mr. BERGER. Mr. President, I call up from the Final Passage Postponed Calendar Senate Bill No. 409, Printer's No. 161, for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 409, on final passage, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of

the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all recipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring the Department of the Auditor General to make annual audits of the affairs of county boards of assistance

be recommitted to the Committee on Rules.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

THIRD READING CALENDAR

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 35, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, fifth line of Title, by striking out "expanding" and inserting in lieu thereof: "changing"; amend Sec. 1 (Sec. 1), page 3, lines 13 to 20, inclusive by striking out all of said lines. Amend Section 1 (Sec. 1), page 4, lines 1 and 2, by striking out both of said lines. Amend Sec. 1 (Sec. 1), page 4, line 3, by striking out "(4)" and inserting in lieu thereof: "(3)"; amend Sec. 1 (Sec. 1), page 4, line 7, by striking out "(5)" and inserting in lieu thereof: "(4)"; amend Sec. 1 (Sec. 1), page 4, line 11, by striking out "(6)" and inserting in lieu thereof: "(5)"; amend Sec. 1 (Sec. 1), page 4, line 16, by striking out "(7)" and inserting in lieu thereof: "(6)"; amend Sec. 1 (Sec. 1), page 4, line 20, by inserting after "THORITIES": "and"; amend Sec. 1 (Sec. 1), page 5, lines 1 to 19, inclusive, by striking out all of said lines. Amend Sec. 1 (Sec. 1), page 6, lines 1 to 5, inclusive, by striking out all of said lines. Amend Sec. 1 (Sec. 1), page 6, line 6, by striking out "(II)" and inserting in lieu thereof: "(7)"; amend Sec. 1 (Sec. 1), page 7, line 1, by striking out "(9)" and inserting in lieu thereof; "(8)"; amend Sec. 1 (Sec. 1), page 7, line 5, by striking out "(10)" and inserting in lieu thereof: "(9)"; amend Sec. 1 (Sec. 1), page 7, line 10, by striking out "(11)" and inserting in lieu thereof: "(10)"; amend Sec. 1 (Sec. 1), page 7, line 14, by striking out "(12)" and inserting in lieu thereof: "(11)"; amend Sec. 1 (Sec. 1), page 7, line 19, by striking out "(13)" and inserting in lieu thereof: "(12)"; amend Sec. 1 (Sec. 1), page 8, line 5, by striking out "(14)" and inserting in lieu thereof: "(13)"; amend Sec. 1 (Sec. 1), page 9, line 16, by striking out "(15)" and inserting in lieu thereof: "(14)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 35, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 258, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) (No 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by redefining the term share certificate and further providing for the issuance and preservation of share certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Share Certificate" in subsection A of Section two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. Laws 457) (No. 108) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such association defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

* * * * *

"Share Certificate" means a written instrument [signed by the proper corporate officers as required by this act and] evidencing the fact that the corporation or person

therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

* * * * *

Section 2 Section six hundred seven of said act as last amended by the acts approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) and the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 76) is hereby further amended to read as follows

Section 607 Share Certificates Issuance and Preservation A Every association shall [furnish] make available to each holder of record of an installment optional payment or direct reduction loan share a copy of the by-laws of the association and of all amendments thereto and furnish him with a receipt by passbook or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment optional payment or direct reduction loan share

B Every association shall [furnish] make available to each holder of record of a full-paid share a copy of the by-laws of the association and of all amendments thereto and furnish him with a share certificate upon which the name of the association shall be printed and which shall state (1) That the association is incorporated under the laws of this Commonwealth (2) the name of the registered holder of the share represented thereby (3) the date of issuance of the shares (4) the type of shares which the certificate represents (5) the number of shares which the certificate represents (6) the par value of each share represented thereby

[C Every share certificate shall be signed by the president or vice president and the secretary or treasurer or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue]

C Full-paid share certificates shall bear printed consecutive numbers and shall be issued either from a bound share certificate book containing a stub for each certificate [Each] or with duplicate pre-numbered copies of the certificates for retention in the association's files When certificates are issued from a bound share certificate book each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall [certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number] sign each full-paid share certificate issued and it shall be sealed with the corporate seal

[E] D Upon a partial withdrawal of full-paid shares the original certificate shall be surrendered to the association for cancellation and a new certificate issued for the unretired balance Upon the complete withdrawal of full-paid shares [and upon payment by the association] the certificate representing such shares shall be surrendered to the association [and preserved by it indefinitely Likewise any] for cancellation Any share certificate which has been cancelled or for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it [indefinitely] for at least seven years

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 310, entitled:

An Act to amend the title and further amend clause (h) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending to the Public Utility Commission jurisdiction over rates service and facilities of public utilities served by authorities or their agents beyond the limits of the municipalities

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING, Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2 (Sec. 4), page 6, line 18, by striking out "or may become."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 310, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER, Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 465, Printer's No. 242,
Senate Bill No. 517, Printer's No. 186.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 528, as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial homeworkers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to homeworkers for manufacture or work thereon requiring permits and home-workers' certificates and prescribing the fees therefor conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by altering the requirements for paying fees providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 10 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 665) entitled "An act relating to the performance of industrial work in homes regulating and in certain cases prohibiting industrial homework imposing duties restrictions and liabilities on industrial home-workers and on persons partnerships associations and corporations directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon requiring permits and home-workers' certificates and prescribing the fees therefor conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" is hereby amended to read as follows

Section 10 Fees

* * * * *

(b) For each annual renewal of such permit the employer or representative contractor shall pay to the department a fee of

(1) Fifty dollars ($50.00) where at no time during the preceding year did the employer or representative contractor directly or indirectly have business relations simultaneously with more than one hundred home-workers

(2) One hundred dollars ($100.00) where at any time during the preceding year the employer or representative contractor directly or indirectly had business relations simultaneously with more than one hundred but less than three hundred home-workers

(3) Two hundred dollars ($200.00) where at any time during the preceding year the employer or representative contractor directly or indirectly had business relations simultaneously with three hundred or more home-workers

Section 2 Section 10 of the act is hereby amended by adding at the end thereof a new subsection to read as follows

(d) No fee shall be required for the original issuance of an employer's representative contractor's or contractor's permit nor renewal thereof for employment of handicapped people where the department finds

(1) That a person is unable to adjust to factory employment because of old age or physical or mental deficiency or disability or is unable to leave home because his services are essential to care for an invalid in the home

(2) That the employer and home-worker comply with all requirements and conditions of this act and all rules and regulations of the department

(3) That such limited distribution of work to handicapped persons is not inconsistent with the purpose and policy of this act

Section 3 Section 22 of the act is hereby amended to read as follows

Section 22 Rules and Regulations and regulations necessary to carry out the provisions of this act shall be made by the department with the approval of the Industrial Board It shall have the power and its duty shall be to enforce all the provisions of this act except as otherwise specifically provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Letzler,	Propert,	Watkins,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 582, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen million dollars ($15,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-

three and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-three

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of two hundred thousand dollars ($200,000) and to the Department of the Auditor General the sum of seventy-five thousand dollars ($75,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 670, Printer's No. 264, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 817, as follows:

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" by extending the provisions of the additional tax for a limited time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" is hereby amended to read as follows

Section 4 Imposition of Tax Exemptions A permanent excise tax at the rate of three cents ($.03) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth And provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department

In addition to such tax an additional State excise tax of two cents ($.02) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning February first one thousand nine hundred fifty-two and ending on the thirty-first day of May one thousand nine hundred [fifty-three] fifty-five

Section 2 This act shall become effective on the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 818, as follows:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferrng powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 485) is hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional State tax of two cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period beginning [on] the first day [this act becomes effective] of July one thousand nine hundred thirty-five and ending on the thirty-first day of May one thousand nine hundred [fifty-three] fifty-five

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 819, as follows:

An Act to further amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing

certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as temporarily amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2028) is hereby further amended to read as follows

Section 17 Refunds The Board of Finance and Revenue may refund to distributors taxes penalties and interest paid by them on liquid fuels delivered to the United States government or paid as the result of an error of law or of fact or of both law and fact Claims for such refunds shall be made under the procedure prescribed by The Fiscal Code

Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of any non-licensed farm tractor or licensed farm tractor when used off the highways for agricultural purposes or non-licensed powered farm machinery for purposes relating to the actual production of farm products shall be reimbursed one-half the amount of such tax

All such claims for reimbursement shall be made upon a form to be furnished by the Board of Finance and Revenue and shall include in addition to such other information as the board may by regulation prescribe the name and address of the claimant the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed a description of the farm machinery in which such liquid fuels have been used and the purposes for which such machinery has been used the size of the farm and part thereof in cultivation on which such liquid fuels have been used Each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted that records of the amounts of such fuels used in each piece of farm machinery have been kept and that no part of such claim has been paid except as stated Each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimant's knowledge and shall be signed by the claimant or the person claiming on his behalf Every claim shall be accompanied by receipts indicating that the liquid fuels tax was paid on the liquid fuels for which reimbursement is claimed All records of purchases of liquid fuels and use in each tractor or powered machinery shall be kept for a period of two years Every such claim shall be made annually for the preceding year ending on the thirtieth day of June and shall be submitted to the Board of Finance and Revenue not later than the thirtieth day of September of each year and the board shall refuse to consider any claim received or post-marked later than such date The claimant shall satisfy the board that he has paid the tax and that the liquid fuels have been consumed by him [in the operation of a tractor or piece of powered machinery for purposes relating to the actual production of farm products] for purposes for which reimbursements are permitted under this section The board may require any claimant to furnish such further information proof or fuller explanation as it shall deem necessary The action of the Board of Finance and Revenue in granting or refusing reimbursement shall be final The board shall deduct the sum of one dollar and fifty cents ($1.50) which shall be considered as a filing fee from every claim for reimbursement granted Such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act The Board of Finance and Revenue shall have the power to refer to the Department of Revenue for investigation any claim for reimbursement filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto Any person making any false or fraudulent statement for the purpose of obtaining reimbursement shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or to undergo imprisonment for not more than six (6) months or both

All refunds and reimbursements of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in amounts equal to the original distribution and payment of such moneys into said funds Provided however That reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purposes relating to the actual production of farm products shall be paid out of the Motor License Fund

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds and reimbursements as herein authorized Estimates of the amounts to be expended from these funds for refunds and reimbursements from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor

The provisions of this section relating to partial reimbursement of taxes paid on liquid fuels consumed in the operation of tractors and powered machines for purposes relating to the actual production of farm products shall apply only to liquid fuels purchased on and after the first day of July one thousand nine hundred forty-nine and before the thirtieth day of June one thousand nine hundred fifty-five

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McCreesh,	Stevenson,
Barr,	Harney,	McCusker,	Stiefel,
Berger,	Holland,	McGinnis,	Taylor,
Blass,	Kephart,	McMenamin,	Toole,
Camiel,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr	Miller,	Wagner,
Crowe,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watkins,
DiSilvestro,	Letzler,	Propert,	Watson,
Fleming,	Madigan,	Ruth,	Weiner,
Freed,	Mahany,	Silvert,	Wolfe,
Haluska,	Mallery,	Snowden,	Wood,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1009, Printer's No. 188,
House Bill No. 1075, Printer's No. 140,
House Bill No. 1079, Printer's No. 141.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 373 CALLED UP FROM POSTPONED CALENDAR

Mr. BERGER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 373, Printer's No. 76, for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 373, on third reading, entitled:

An Act to amend Section 601 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providiing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers therof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by defining the powers and duties of the Budget Secretary; revising the method of preparing the budget; and prohibiting duplications.

be recommitted to the Committee on Rules.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 383 CALLED UP FROM POSTPONED CALENDAR

Mr. BERGER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 383, Printer's No. 86, for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 383, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled as amended "An act appropriating the moneys in the Motor License Fund" by appropriating certain money in the Motor License Fund to the Department of Public Works for highway purposes

be recommitted to the Committee on Rules.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 390 CALLED UP FROM POSTPONED CALENDAR

Mr. BERGER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 390, Printer's No. 93, for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 390, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the powers and duties relating to rehabilitation of injured workmen from the Department of Labor and Industry to the Department of Health and Welfare.

be recommitted to the Committee on Rules.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 407 CALLED UP FROM POSTPONED CALENDAR

Mr. BERGER. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 407, Printer's No. 126, for consideration at this time.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 407, on third reading, entitled:

An Act authorizing the Department of Public Assistance to reduce to judgment claims for restitution of assistance wrongfully received and providing for the collection of such judgments from wages earnings debts and income from trusts or profits due the judgment debtor

be recommitted to the Committee on Rules.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 13, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 96, Printer's No. 220, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 199, Printer's No. 231, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 208, on second reading, entitled:

An Act providing for a propagation and educational program by the Department of Forests and Waters relating to the propagation of nut and wild fruit trees and seed bearing shrubs in this Commonwealth the distribution and planting of nut and wild fruit trees and seed bearing shrubs with the cooperation of certain State and Local governmental agencies and prescribing penalties.

be re-referred to the Committee on Agriculture.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 236, Printer's No. 223,
Senate Bill No. 289, Printer's No. 194,
Senate Bill No. 290, Printer's No. 195.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS RE-REFERRED

Mr. MAHANY. Mr. President, I move that House Bill No. 333, on second reading, entitled:

An Act to further amend the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by providing a method of paying service increments from the retirement fund in cities of the first class to members of the police force after retirement

be re-referred to the Committee on State Government.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that House Bill No. 334, on second reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" by further prescribing for the management administration application and regulation of such fund in cities of the first class

be re-referred to the Committee on State Government.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that House Bill No. 335, on second reading, entitled:

An Act to amend the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by providing for and regulating withdrawal of payments from the police pension funds in cities of the first class.

be re-referred to the Committee on State Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 402, Printer's No. 197,
Senate Bill No. 450, Printer's No. 178,
Senate Bill No. 451, Printer's No. 179,
Senate Bill No. 452, Printer's No. 180,
House Bill No. 462, Printer's No. 37,
Senate Bill No. 497, Printer's No. 238.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 513, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 523, Printer's No. 232,

Senate Bill No. 525, Printer's No. 243.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 552, entitled:

An Act to further amend Section 4 of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" by further regulating credit union organizations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 581, Printer's No. 235, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL No. 89 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 89, Printer's No. 19, for consideration at this time.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 89, on second reading, entitled:

An Act to add subsection (d) to Section 1013 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and lisensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring vehicles street cars and trackless trolley omnibuses to yield the right of way after stopping at an intersection marked with an official "Stop" sign.

be recommitted to the Committee on Highways.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 314 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 314, Printer's No. 213, for consideration at this time.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 314, on second reading, entitled:

An Act providing for the establishment of a fish hatchery in Wayne or Pike Counties and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous concent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PROPERT read in place and presented to the Chair Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

Which was committed to the Committee on State Government.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President,, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consid-sideration of Senate Bill No. 31, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating

to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including corn shellers in the definition of "Farm Tractor" and in the classification of tractors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 38, entitled:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 343, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 352, entitled:

An Act to further amend the act approved the second day of June thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 354, entitled:

An Act to further amend the act approved the seventeenth day of April, one thousand eight hundred seventy-six (P. L. 29), entitled "An act relating to appeals in cases of summary convictions," by extending the time within which appeals may be taken.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 470, entitled:

An Act to add Section 626.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale or the possession of knives, the blade of which is released by a spring mechanism, including switch blades.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 550, entitled:

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds, and the effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act to further amend Section 18 of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for filing summaries of audits, and for annulling, vacating or forfeiture of articles of association or associations failing to file such summaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act to further amend Section 17 of the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for filing summaries of audits; and for annulling, vacating or forfeiture of articles of association failing to file such summaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 593, entitled:

An Act to establish a separate orphan's court in and for the County of Chester.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 596, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by extending the powers of cities relating to certain tunnels, bridges and viaducts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by extending the benefits to certain authorities created by such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 796, entitled:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1077, entitled:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1078, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age, or to aid, abet, entice, or encourage such children in the commission of any crime, or to assist or encourage such children in violating a parole or order of court; prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

GENERAL COMMUNICATIONS

The Chair cleared its table and laid before the Senate the following communication which was read by the Clerk:

5844 Overbrook Avenue,
Philadelphia 31, Pennsylvania.

Mr. G. Harold Watkins
Secretary, Senate of Pennsylvania.

Dear Mr. Watkins:

Will you convey to the Senate of Pennsylvania and especially to Senators Weiner, Stiefel and Martin my deep appreciation of the resolution sent to me.

We knew of the devotion that my husband had to his profession and to the State, and it gives us pride to know that others also were inspired by his unselfish service. Believe me.

Very sincerely,

(s) ELIZABETH K. GORDON.

March 16, 1953

The PRESIDENT. The communication will be spread upon the Journal.

REPORT OF THE BOARD OF DIRECTORS OF CITY TRUSTS TO THE LEGISLATURE OF THE COMMONWEALTH OF PENNSYLVANIA FOR 1952

The Chair cleared its table and laid before the Senate the following communication which was read by the Clerk:

CITY OF PHILADELPHIA

BOARD OF DIRECTORS OF CITY TRUSTS

W. Henry Gillam, Jr.
General Manager

Blackwell Newhall
Assistant General Manager

120 S. Third Street,
Philadelphia 6, Pa.

May 15, 1953.

To the Chief Clerk of the Pennsylvania State Senate
Harrisburg, Pennsylvania

Dear Sir:

As specifically provided in Clause XXIV, Item 3, of the Will of the late Stephen Girard, the Board of Directors of City Trusts acting for the City of Philadelphia renders herewith to the legislature of the Commonwealth of Pennsylvania, a detailed account for the year 1952 of the Estate devised to the City of Philadelphia, in trust, and the investment and application of the same, and a report in like manner of the state of Girard College, a duplicate copy of which has been rendered to the House of Representatives.

Very respectfully yours,

/s/ W. H. GILLAM, JR.
General Manager.

The PRESIDENT. The Report of The Board of Directors of City Trusts to The Legislature of the Commonwealth of Pennsylvania for 1952 will be noted in the Journal.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, May 25, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:58 o'clock p. m., Eastern Standard Time, until Monday, May 25, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 21, 1953

The House met at 12.00 noon E.S.T.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend WILLIAM HUGH FRYER, offered the following prayer:

Almighty God, Creator of Heaven and Earth, Governor of the universe, Whose law is truth; we beseech Thee to guide and bless these Thy servants who have been called to the authority of government, so that through Thy wisdom they may know what they ought to do and grant them the courage and strength to fulfill the same as that the life of the people may be built upon the surest and best foundations; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, May 20, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, May 20, 1953, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. NEEDHAM and WARGO.

HOUSE BILL No. 1346.

An Act to amend Subsection (e) of Section 2 and Section 15 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by including dust and fumes within buildings and on construction projects and increasing penalties.

Referred to the Committee on Labor Relations.

By Messrs. NEEDHAM and WARGO.

HOUSE BILL No. 1347.

An Act to further amend Sections 1, 2, 4 and 8 of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restrictng their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school

district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by regulating hours of minors when working on the farm of their parents.

Referred to the Committee on Labor Relations.

By Messrs. WOOD and HELM. HOUSE BILL No. 1348.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the approval of the electorate before school districts may enter into contracts with the State Public School Building Authority or any municipality authority or any non-profit corporation for the leasing of projects; and further regulating Commonwealth payments to school districts on account of such obligations.

Referred to the Committee on Education.

By Messrs. WOOD and HELM. HOUSE BILL No. 1349.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating reimbursements on account of instruction of kindergarten pupils.

Referred to the Committee on Education.

By Messrs. WOOD and HELM. HOUSE BILL No. 1350.

An Act to amend subsections B and C of Section 7 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizng such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring members to serve without compensation and the treasurer to post a bond.

Referred to the Committee on Municipal Corporations.

By Mr. THOMPSON. HOUSE BILL No. 1351.

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Mr. THOMPSON. HOUSE BILL No. 1352.

An Act to further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collecton; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by limiting review of tax returns and imposition of additional taxes in certain cases.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Messrs. WOOD and ANDREWS. HOUSE BILL No. 1353.

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Referred to the Committee on State Government.

By Mr. VAN SANT. HOUSE BILL No. 1354.

An Act to reenact and further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous recepts; making an appropriation and providing for refunds," by exempting certain vehicles owned by and used exclusively by certain defense organizations from the payment of registration fees.

Referred to the Committee on Motor Vehicles.

By Messrs. HAUDENSHIELD, THOMPSON and EWING. HOUSE BILL No. 1355.

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres, more or less, of land situate in Collier Township, Allegheny County, Pennsylvania, with the approval of the Governor.

Referred to the Committee on State Government.

By Messrs. THOMAS and MORAN. HOUSE BILL No. 1356.

An Act to further amend Section 15 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; im-

posing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by changing the provisions concerning service of notice to taxables upon change of assessments.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Messrs. MORAN and THOMAS.

HOUSE BILL No. 1357.

An Act to amend Section 8.1 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessments, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by further providing for the assessment and valuation of buildings under construction.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 40.

An Act to further amend Section 505 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial asssessor in townhips of the first class providing for the appointment of a chief assessor asistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the Recorder of Deeds and eliminating the triennial assessment" by increasing the compensation of assessors

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 189.

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 259.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights, powers, duties, liabilities, and immunities of such associations and of thier directors and shareholders; and providing for the review of by-laws under certain circumstances by the Building and Loan Board.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 260.

An Act to amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 746) entitled "An act authorizing federal savings and loan associations to issue share accounts in the name of certain minors and in the joint names of two or more persons, and validating the acquittances of such minors and validating the acquittances of either person in a joint account, under certain conditions; and outlining the procedure for the payment of share accounts issued in the name of a trustee following the death of the trustee," by further providing for the issuance of share accounts to minors and validating their acquittances.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 439.

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes, and for the control of the stem rust disease of wheat, oats, barley and rye upon request of county commissioners, and authorizing the Department of Agriculture to establish regulations therefor.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 476.

An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further classifying real estate for the purpose of taxation.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 510.

An Act to further amend Section 20 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by conferring powers and imposing duties on the State Treasurer regarding the collection and payment of per capita poll and occupation taxes owed by State employes.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 542.

An Act to amend the Title and the act approved the second day of May one thousand nine hundred forty-nine (P. L. 873) entitled "An act requiring that the name address political subdivision and office of elected officers and the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections requiring secretaries of political subdivisions to report said bureau the names of persons appointed as chief administrative officials the name of th eoffice and the name of the person succeeded" by eliminating certain reports from the county board of elections and requiring reports from the secretaries of political subdivisions to the Bureau of Municipal Affairs and to the county commissioners of the county in which the political subdivision is located.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 543.

An Act providing for and regulating the annexation of parts of a second class township to boroughs and cities.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 545.

An Act directing the Department of Forests and Waters to build a replica of Ole Bull's Castle on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norwegian musician.

Referred to the Committee on Game and Forestry.

SENATE BILL No. 548.

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

Referred to the Committee on Agriculture and Dairy Industries.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 112

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day aproved and signed House Bill No. 112, Printer's No. 173, entitled "An act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled 'An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities' by further regulating the hours of duty of firemen in cities of the second class."

JOHN S. FINE.

REPORT OF DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

The SPEAKER laid before the House the Annual Report to the Governors and legislatures of the Commonwealth of Pennsylvania and the State of New Jersey by the Delaware River Joint Toll Bridge Commission for the year 1952.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 347.

An Act to further amend Section 1402 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire, burglary, larceny, theft, robbery, forgery or fraud.

HOUSE BILL No. 953.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by changing the provisions thereof relating to public parks, playgrounds and other recreation places and facilities, and park and recreation boards.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

NORTHERN YORK COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER. The Chair is pleased to welcome to the Hall of the House a delegation of ladies from the Northern York Council of Republican Women. They are the guests of the gentleman from York, Mr. Baer.

REPORTS FROM COMMITTEE

Mr. BOLTON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 464, entitled:

An Act to amend Section 602.1 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," by regulating the tax rates when assessed valuations of real estate are increased.

Mr. PEIFLY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1017, entitled:

An Act to further amend Section 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by further providing for serving of notice of sale when notice cannot be served by mail.

Mr. CAPANO, from the Committee on Judiciary, reported as amended, House Bill No. 1187, entitled:

An Act to amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title, bulk sales and security interests.

Mr. BANKER from the Committee on Municipal Corporations, reported as amended, House Bill No. 1301, entitled:

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 215), entitled "An act providing for the creation and incorporation as municipal corporations, and for the management and operation, of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth, and its agencies through the construction of water-works and facilities, and/or the acquisition of the property, water-works, rights and francises of public and private corporations, copartnerships, associations, and individuals furnishing and supplying water to the public in said districts; prescribing the powers and duties of such districts, and the officers thereof; conferring jurisdiction on courts of common pleas in connection therewith; and imposing certain costs and charges preliminary on counties," by further regulating the appointment or election of the governing board and officers of water supply districts; conferring powers and imposing duties upon the legislative bodies of political subdivisions; providing for water supply district representatives; defining their powers and duties and clarifying provisions relating to costs and charges.

Mr. BOLTON from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 43, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by prohibiting the imposition of wage income or occupation taxes on non-residents and abolishing such taxes heretofore imposed.

Mr. ZIEGLER from the Committee on Judiciary, reported as committed, Senate Bill No. 171, entitled:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania.

Mr. TOLL from the Committee on Judiciary, reported as committed, Senate Bill No. 203, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies.

Mr. FARABAUGH from the Committee on Agriculture and Dairy Industries, reported as amended, House Bill No. 910, entitled:

An Act requiring owners of cattle and goats to have their herds tested for Bovine Brucellosis by the Department of Agriculture; providing for disposition of and compensation for diseased animals; and providing penalties.

Mr. CURWOOD from the Committee on Townships, reported as committed, House Bill No. 1181, entitled:

An Act to further amend Section 611 of the act, approved the first day of May, one thousand nine hundred

thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the secretary of a county association of township supervisors to be elected as a delegate to the State Association Meeting.

Mr. GLEASONN from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by providing for the transportation, sale and delivery of manure.

Mr. BOLTON from the Committee on Townships, reported as amended, House Bill No. 1271, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the compensation of auditors.

Mr. RUBIN from the Committee on Judiciary, reported as committed, House Bill No. 1299, entitled:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys, the use, benefit, enjoyment or control of which would not be available to certain nonresident beneficiaries entitled thereto; and providing remedies to such beneficiaries under certain conditions.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the time has come at long last when we should make a united effort to cut the Gordian tax knot that has bound us so long. We could ask ourselves how long we should remain the prisoners of indecision and hesitation. The hesitation waltz with which we began this Session is tending to become a funeral march, just for whom I would not know.

There has been an apparent death of party responsibility, but the death of party responsibility does not relieve us from legislative responsibility. Now we just cannot continue indefinitely to function as legislative units impotent and incapable of creating a substantial tax structure with which to finance the essential activities of the Commonwealth.

We are all common devotees of freedom, but there is a freedom that can lead to anarchy, and where there is a need for collective action we cannot be guided by confusing hands and a multitude of bewildering voices. The one fact that stands out is that this month, next month, or the month thereafter we must balance the budget.

Let us not let the lobyist crew get sand in our eyes. Let us not permit the Senate to break our heart. We have reached an impasse, an impasse that we cannot continue indefinitely without contributing to the decadence of parliamentary government. The enemies of parliamentary government say that democracy is really a myth and does not function unless you have a boss, someone to lay down the law. Are we capable in the absence of a boss of functioning as a parliament? I say party responsibility is bogged down. As far as party responsibility is concerned, we see a party situation that is dominated by rebels, for better or for worse.

The time has come to face the reality of the situation. After all the Republican party is important, and there are some of us who entertain the notion that the Democratic party is important, but the essential interests of the Commonwealth are paramount. Maneuvering in the interests of my party or maneuvering in the interests of your party can be carried to a length where it is a disservice to the public interest.

In some respects we face a rebel House. The Majority Leader has been referred to as Minority Leader. If there is present in our Assembly a Majority Leader, I would like to have a few minutes conversation with him.

I said we face a House in rebellion—in rebellion against the administration; in rebellion against its party promises; in rebellion against its leadership; in rebellion as far as FEPC is concerned; in rebellion to the extent of sabotaging the constitutional convention; in rebellion as far as salvaging essential portions of the Chesterman Committee report is concerned; in rebellion against party pledges.

I tell you there is no glory for anybody in continuing the present stalemate. We have been against the sales tax and we will continue to be against the sales tax. Yet it has been suggested to me, "Oh, forget it. Get us two or three votes for a sales tax." And that in the face of the fact that the person who spoke knew what I know and what everybody else knows, that for years the Democratic party by promise has been opposed to a sales tax. And yet they would have us ignore that promise, just as promises made for and on behalf of the Republican party in its platform and by its candidates have been ignored. You cannot establish party responsibility in a situation that ignores party promises.

The stark fact that faces us, I repeat, is that we must finance the essential needs of the Commonwealth. If you have 105 votes for a tax program, trot out the program and trot out the votes. If you face a situation in which no tax program that could be devised would have 105 votes in the Republican caucus, you have to do something about it. You have got to endeavor to find a tax program that will have 105 votes in the body of this House.

From the minority point of view, we are not going to pull your chestnuts out of the fire. We are not going to come galloping to the front to salvage your tax programs, only to have some of your own members walk out. It is our business to cooperate, but it is not our business to initiate. We cannot stand here forever saying nothing in answer to concrete proposals, but we can stand here forever saying nothing to nothing. There must be something to consider. If it is a secret resolve upon the part of the majority to continue this situation until in sheer desperation this House returns to a sales tax, we once again say with knowledge of the fact that now, tomorrow, next day, the day after and next year you will have to find 105 votes for your sales tax within the membership of the Republican House caucus. There should be a way to reach a decision. First of all, there is a need for a tax package, a package that will be supported as a package. You cannot expect to pour your particular ideas into a tax package and say to us "Take it." You tried that with the sales tax. If we are to eat the pie we ought to have something to say about what goes into it, and if we have to swallow ultimately things we do not like, the Majority party either has to produce 105 votes for the things it

likes or swallow some things it does not like. We are not going to do all the swallowing.

I have, Mr. Speaker, a method of procedure which I would suggest for the consideration of the leadership of this House. We have not made marked progress through party caucuses. If I were in command of a situation and the majority party had a tax package to present, this House next Monday would be convened in Committee of the Whole for the consideration of the tax package. How long would the House remain in Committee of the Whole? It would remain in Committee of the Whole until enough Members had signified their intention, their willingness to support a particular tax program.

There are now no avenues of communication between the leadership of the so-called majority and the leadership of the minority. We do not know how many rebels you have, and you do not know how many rebels we have. We do not know how many scars your leaders are compelled to suffer, and you do not know how many scars the leadership over here is compelled to suffer.

I say if a tax program were submitted to the membership of this House sitting as a Committee of the Whole, everybody would have their say: they could argue at length, but always everybody would know what was what and who was for or against particular proposals.

The Committee of the Whole is a measure when leadership fails. It is a theater in which all the cards can be laid upon the table. And we are willing to lay all the cards on the table. It is my confident belief that there are enough bills in committees dealing with taxes to form the basis of an adequate tax program.

The leadership of this House must devise some plan of resolving this situation. If you do not like the Committee of the Whole suggestion, go into your caucus and come out with 105 votes for something. But if we are voting for a tax program or the making of any commitments, we want to know what the situation is.

We cannot guarantee to deliver a delegation, the entire delegation, for any particular bill or any particular tax program. But you may have a tax program which if you support, can find on this side of the House sufficient assistance to put that program across.

I am sure that a program can be devised that I personally will support. I believe a program can be devised that I will ask the Members of this House on this side of the aisle to support. Whether I would be one vote anone, I do not know, but I believe a tax program can be devised for which I would be willing personally to cast the 105th vote if I were the only Democrat on this side of the House that voted. In a situation like this I have no way of knowing, when the case is argued and the facts presented, how the individual conscience and judgment of the Members will vote. But I say, throw the whole proposition into Committee of the Whole, have your caucuses as much as you like, but trot out the results where everybody can see who is saying what, who is doing what, and before a theater in which you must present definite proposals, definite taxes to be considered as a package.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I agree with the Minority Leader that the time has come for some very definite forward action as far as the tax program is concerned.

I have each week reviewed for the Members of the House the tax situation as it existed up to the moment. We all know that Governor Fine gave us his budget very early this Session, perhaps the earliest in the minds of anybody in this House, the budget has come down for our consideration. The minute we received that budget it was very, very evident that this Session would be a revenue-raising session. The chief job of this Session would be that of revenue-raising.

Somebody said to me "Well, what is Governor Fine's program?" As I said before, you can take the Governor's budget, and that is the program of the Session. It spells out that we must have over half a billion dollars for education, $129 million for welfare, $88 million to pay off our bonds, and so forth. We are giving so much money to our great universities and to our state teachers' colleges, and it all adds up to one billion, three hundred million dollars. That is the program of the Session

We realized early that we would have to raise anywhere from $130 to $157 million. On this side of the House we tried to do it on a partisan basis. Our caucus came forward with a broadbase tax program, and I repeat the sales tax we put forth here was the result of a spontaneous program brought out of the House Republican Caucus.

The boys wanted to do a job and put through a broad-base tax which would settle once and for all the financial difficulties of this Commonwealth. We of the leadership did a sincere job endeavoring to put over this program by Republicans, for as was repeatedly pointed out on the other side of the aisle we would not get a single Democratic vote for it.

I think when we got up to 102 votes for a broad-base tax, which was, of course, radical in the history of Pennsylvania, because we do not have a broad-base tax as such in this state, I feel that we did a good job. I think that we did a remarkable job in getting 102 votes lined up for that program.

A very small handful of Members on our side felt that because of prior commitments they could not go along with such a tax.

Now we are faced with the possibility of bringing out a group of alternative taxes. At the last Session we tried a broad-base tax in the form of a flat income tax. We courageously passed it in the House. We had, I think, one Democratic vote for it, and it died in the Senate. I think that tax would meet the same fate in the Senate again were we able to send it over to the Senate.

The flat income tax and the sales tax really are the only two broad-base taxes we have that we could put on. Therefore, we must resort to an alternative program. I want to say that we have spent many hours in the last few days trying to come up with an alternative program.

The minute you start considering an alternative program, you will find that it is punitive, that it has become discriminatory, that it hits specific things in a very hard way rather than in an even distribution as a broad-base tax will.

Be that as it may, we are working on an alternative program and we hope to have one ready to submit to our caucus and to the Democratic caucus by Monday. We do not know yet just exactly what it will be. We have considered quite a number of taxes which have been termed

"hodge-podge." They must of necessity be within the framework of our present taxes with some addition.

It is pretty easy to guess what they will have to be, and I am going to ask everybody in this House, when a program is finally evolved, to give us your support.

The gentleman from Cambria, Mr. Andrews, has, week after week, in his various messages to this House, held out the olive branch to us saying that he would give us votes for the right program he feels the Democratic party could buy. I have appreciated the gentleman's remarks week after week, but we have wanted to do it on the Republican side because it is our duty. We are the majority party; it is our duty to come forward with a program.

As to going into a Committee of the Whole to consider an alternative program, of course it is something new, but I do not think that we should turn our backs on new innovations. Yet I feel I have a duty to the House Republican caucus that before we would agree to any such plan, it would have to be submitted to our caucus.

I believe we would probably prefer to submit an alternative program with various taxes in it to our caucus and submit it to the Democratic caucus. We would see what our caucus comes up with, we would see what the Democratic caucus comes up with and chances are we may be on a middle ground where we can agree on a program and ajourn this Session at an early date.

Personally, to repeat what I said last week, I have been hoping to end this Session early. It looks now that the 12th of June is the earliest possible date that we could adjourn sine die, even if we passed a revenue program next week and sent it to the Senate.

The time has come, of course, when we must get down to business and put through a tax program. The reason so many measures are stalled in this House is that they cost money, and the Members on our side feel that they do not want to vote for anything that is going to cost money until we have first raised the revenue.

All over Pennsylvania the eyes of the people are on this Legislature. The school boards and the various hospitals and our state educational institutions are marking time. They are wondering what their budget is going to be. They want us to provide them with the money we have promised in the Governor's budget to give to them.

Next week we hope to have a very historic week. We hope to really get down to business. We hope to agree on a revenue program so that we can have an early termination of this Session so that we can send you folks back home proud of the job you have done. We hope to balance the Governor's budget and make the cuts that have been previously outlined here, some of which have a great deal of merit in them. We will bring them to the floor for debate.

Next week we hope to have an alternative program ready to submit to both caucuses for their earnest consideration and approval.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I hope the Majority Leader understands that in the consideration of the tax program I am not going to ask the Democratic caucus to raise 10 or 20 or 30 or 40 votes just so 10 or 20 or 30 or 40 votes on the other side may take a powder and run out on the program.

I can ask the Democratic causus for a package that I deem is acceptible to help you over the hump, but I am not going to ask the Democratic caucus to carry it clear across the line from start to finish.

We are in trouble, and because we have the interests of the Commonwealth at heart, I'll do the best I can in the caucus, but we are not shouldering your load. If you do not like the Committee of the Whole idea, the best alternative to be sure that you get the program you want is to come out of your coucus with 105 votes.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 643, entitled:

An Act to regulate the business of private detectives investigators and watch guard or patrol agencies and the licensing thereof providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 791, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by further providing for filling of va-

cancies in certain offices and for notice and publication of fire protection codes and ordinances authorizing borrowing by cities in anticipation of current revenue and for permanent improvements without issuance of bonds increasing the criminal jurisdiction of the mayor as an alderman authorizing appropriations of council to cover certain contracts which may be awarded without additional advertising authorizing certain street construction and improvement by city employes and the sale of real estate by the city at public sale providing for payment by the city of certain costs in connection with shade trees and further regulating purchases and contracts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1107, entitled:

An Act to add clause (o) to section two hundred fourteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the use of poison for wildlife management.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ASHTON offered the following amendments:

Amend Sec. 1 (Sec. 214, page 2, line 13, by inserting after the word "lands" the following: "the commission shall adopt a resolution stating that the use of poison on such lands is necessary and fixing a definite limited area and period of time within the thirty days immediately following, for such use."

Amend Sec. 1 (Sec. 214), page 2, line 13, by striking out the word "first" and inserting in lieu thereof "then"

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1131, entitled:

An Act to further amend section 1211 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further limiting prosecutions for summary offenses and the authority of the State Police

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 65,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 435, entitled:

An Act to add section 308 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring boroughs and cities to pay for certain improvements and facilities when they annex a part of a township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection,

House Bill No. 500, Printer's No. 265,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1209, as follows:

An Act to amend the title and the act approved the third day of May one thousand nine hundred thirty-three P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" by imposing costs on private prosecutors in certain cases and prohibiting payment by counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Sections 1 and 2 of the act approved the third day of May one thousand nine hundred

thirty-three (P. L. 242) entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof" are hereby amended to read as follows

An Act

Prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates justices of the peace and aldermen [unless names and addresses of prosecutors defendants and witnesses appear on the transcript thereof] in certain cases and imposing costs on private prosecutors

Section 1 Be it enacted &c That no county shall hereafter be liable for the payment of any costs in any prosecution brought before any magistrate alderman or justice of the peace against any person on the charge of having committed any crime when such charge shall upon examination at a preliminary hearing appear to be unfounded and shall be dismissed or discharged by such magistrate alderman or justice of the peace [and the costs thereof] (1) in cases other than felonies unless the prosecutor is a police officer engaged as such in the employ of the Commonwealth or any of its poltical subdivisions and (2) in all cases where the costs are properly directed to be paid by the county unless there shall be endorsed upon the transcript of such proceedings the names and specific addresses of the prosecutor the defendant or defendants and of all the witnesses who were called and sworn and who testified at such hearing or examination In all dismissed prosecutions other than for felonies where the prosecutor is not a police officer engaged as such in the employ of the Commonwealth or any of its political subdivisions the costs shall be placed on the prosecutor or on the defendant if so permitted by law

Section 2 It is unlawful for the county commissioners or the controller of any county to order authorize or approve the payment of any costs in any such proceedings unless the transcript thereof shall contain the name and specific address of the prosecutor the defendant or defendants and all witnesses as required by the preceding section of this act or in any dismissed prosecution other than for a felony unless the prosecutor is a police officer engaged as such in the employ of the Commonwealth or any of its political subdivisions

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the queston was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 608, Printer's No. 83, on page 10 of today's calendar, Bills on Final Passage Postponed.

Mr. GUTHRIE asked and obtained unanimous consent to extend the time five days on House Bill No. 626, Printer's No. 130, on page 10 of today's calendar, Bills on Final Passage Postponed.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 91, Printer's No. 175.
House Bill No. 555, Printer's No. 177,
House Bill No. 562, Printer's No. 231, and
House Bill No. 574, Printer's No. 221,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 583, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public Safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the

Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating speed designating a traffic court further prescribing enforcement and penal provisions and imposing duties on certain pedestrians

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the dispostion of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended by adding at the end thereof new definitions to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Highway Controlled Access" Every highway street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway street or roadway

"Highway Divided" A highway with separated roadways for traffic in opposite directions

"Roadway" That portion of a highway improved designed or ordinarily used for vehicular travel exclusive of the berm or shoulder In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively

Section 2 Subsection (b) of Section 1002 as variously amended by the acts approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) and the fifth day of June one thousand nine hundred forty-seven (P. L. 399) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

1 Ten (10) miles an hour speed limit

All vehicles when passing any interurban or street car taking on or discharging passengers at an intersection where a safety zone has been established or where traffic is controlled by a peace officer or a traffic signal

2 Fifteen (15) miles an hour speed limit

All vehicles except those restricted by this act to lower maximum speeds when passing a school building during school recess or while children are going to or leaving school during opening or closing hours

3 Twenty (20) miles an hour speed limit

All vehicles except those restricted by this act to lower maximum speeds when approaching within two hundred (200) feet of a railway grade crossing where official signs erected by the proper authorities are displayed

All vehicles except those being operated on through highways and those restricted by this act to lower maximum speeds when approaching within fifty (50) feet and in traversing an intersection of highways within a business or residence district or in traversing an intersection in a public park area when the driver's view is obstructed except on highways controlled at intersections by peace officer or traffic signal A driver's view shall be deemed to be obstructed if during the last fifty (50) feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection

4 Twenty-five (25) or thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residence districts or public park areas where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (⅛) of a mile An additional sign shall be placed at intervals not greater than one-eighth (⅛) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone

5 Thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds while using auxiliary driving lamps as provided for in section eight hundred two (b)

6 Fifty (50) miles an hour speed limit All vehicles except those otherwise [restricted by this act to lower maximum speeds] provided

7 Ffty-five (55) miles an hour All vehicles except as otherwise provided by this act when being operated on divided highways

[7] 8 Seventy (70) miles an hour speed limit All vehicles when being operated on highways under the supervision and control of a Turnpike Commission except those otherwise restricted by this act to lower maximum speeds and except when restricted to lower maximum speeds by such Turnpike Commission upon the highways under its supervision and control of any zones or sections thereof where official signs erected by such Turnpike Commission on the highway facing the traffic to be controlled are displayed

[8] 9 The Secretary of Highways may after due investigation establish further restricted speed zones on State Highways outside of business and residence districts where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act

Any such established restricted speed zone shall be indicated by the erection of official signs spaced not less than one-eighth of a mile apart on the right hand side of the highway facing the traffic to be controlled and at the end of the restricted speed zone there shall be an official sign indicating the end of such restricted speed zone

Section 3 Subsection (d) of Section 1002 of said act as last amended by the act approved the twenty-seventh

day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken [by not less than (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (⅛) of a mile in length Under all other conditions the rate of speed shall be timed] for a distance of not less than [one quarter (¼)] one-eighth (⅛) mile by a peace officer using a motor vehicle clearly marked as a police vehicle which shal be equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section Under all other conditions the rate of speed shall be timed in the manner above set forth for a distance of not less than one-quarter (¼) mile

(2) The secretary shall have the authority to appoint official stations for testing speedometers and may prescribe regulations as to the manner in which such tests shall be made and shall issue to such stations official inspection certificate forms

Section 4 Section 1201 of said act as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 1201 Limitations of Actions

* * * * *

(A) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate or before a special traffic court as provided in subsection (c) of this section within the city borough incorporated town or township in the county where the alleged violation occurred provided however that where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than on magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township in the county within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that informations charging violations of the provisions of Sections 205 207 210 212 213 406.1 506 (a)511 610.1 620 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

(c) Local authorities in cities except in cities of the first and second classes boroughs incorporated towns or townships of the first class may designate A magistrate's court as a special traffic court before which all informations or notices to appear charging violations of any of the summary provisions of this act shall be brought Whenever such special traffic court as provided in this section or by any other act shall have been designated any salaried police officer excluding any person compensated solely or in part by fees who shall be a member of a police department organized and operating under the authority of a city including cities of the first and second classes borough incorporated town or township of the first class when in uniform and exhibiting his badge or other sign of authority whenever a summary offense as described in this act is committed in his presence shall be vested with the authority to stop and present to the alleged offender a printed notice to appear before such court which notice shall have the full force and effect of a summons issued in the name of the Commonwealth The notice to appear shall bear the name and address of the alleged offender the license number and type of vehicle or other means of identification if a pedestrian the nature of the offense charged the location date and time when and where alleged offense took place and shall be signed by the police officer issuing such notice and shall bear his number the date and time for the appearance of the offender before the special traffic court having jurisdiction over summary offenses as defined by this act which date and time for appearance shall be not less than five (5) days nor more than fifteen (15) days of the date of the alleged offense provided however that within twenty-four hours after presenting to the alleged offender the printed notice as provided herein the police officer shall file a sworn information charging the violation of the specific summary provisions of this act with the court having jurisdiction under this act

(d) Any person who shall receive from a police officer a notice to appear as provided in subsection (c) of this section shall have the privilege of paying such fine to such court before or within the time specified in the notice to appear at the special traffic court by entering a plea of guilty and waiving appearance in court The payment of a fine to the special traffic court shall be deemed an acknowledgment of conviction of the alleged offense and the court upon accepting the prescribed fine shall issue a receipt to the violator acknowledging payment thereof and shall immediately record the payment upon the docket No evidence of the conviction of any person for any violation of this act shall be admissible in any court in any civil action

(e) A failure to respond to the notice to appear provided in subsection (c) of this section shall have the same effect as a failure to appear in cases wherein the proceedings are commenced by the filing of information under this act

Section 5 Subsection (a) of Section 1202 of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1202 Proceedings by Information and Warrant

(a) Summary proceedings under this act may be commenced as provided in Section 1201 (c) or by the filing of information which information must be filed in the name of the Commonwealth and within the period of seven (7) days after information has been lodged the magistrate shall send by registered mail to the person charged at the address shown by the records of the department a notice in writing of the filing of the information together with a copy thereof and a notice to appear within ten (10) days of the date of the written notice

1 If the person named in the information or in the notice provided for in Section 1201 (c) shall not voluntarily appear within ten (10) days of the date of the written notice or at the date and time stated in the notice provided for in subsection (c) of section twelve hundred one of this act a warrant shall then issue and may be served by a peace officer having authority to serve warrants in the county in which the alleged violation has been committed

If the person charged cannot be served within such county then the magistrate shall deputize a peace officer having authority to serve warrants in the county wherein

the person charged resides or may be found to serve such warrant

2 The peace officer serving such warrants shall take the defendant before a magistrate within the city borough incorporated town or township in which the defendant is found or if there is no person holding the office of magistrate in such city borough incorporated town or township then the defendant shall be taken before a magistrate in any adjoining city borough incorporated town or township who shall take bail either for the defendant's appearance before the magistrate who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

Section 6 Subsection (a) of Section 1218 of said act and the penalty clause of Section 1218 of said act as amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) are hereby amended and further amended to read as follows

Section 1218 Signals and Investigations by Officers

(a) The operator of any vehicle or any pedestrian charged with a violation of any summary provision of this act shall stop upon request or signal of any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority and shall upon request exhibit his registration card or oprator's license card or learner's permit or other means of identification if a pedestrian and shall write his name in the presence of such peace officer if so required for the purpose of establishing his identity

* * * * *

Penalty Any person failing to comply with the signals or requests of police officers or department emploees as provided in this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consittution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yetzer,
Fleischman,	Lopresti,	Rosen,	Yeakel,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—1

Erb,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 600 as follows:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-two thousand five hundred ninety-nine dollars ($72,599) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act threre shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of nineteen thousand eight hundred twenty-four dollars ($19,824) and to the credit of the Contingent Reserve Account the sum of fiftv-two thousand seven hundred seventy-five dollars ($52,775)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,

Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 623, Printer's No. 232,
House Bill No. 649, Printer's No. 236,
House Bill No. 651, Printer's No. 204,
House Bill No. 664, Printer's No. 181,
House Bill No. 732, Printer's No. 251,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196 and
House Bill No. 822, Printer's No. 150,

were passed over at the request of the SPEAKER.

There being no objection

House Bill No. 833, Printer's No. 205,

was passed over at the request of Mr. SARRAF.

There being no objection

House Bill No. 1003, Printer's No. 187,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1059 as follows:

An Act to amend Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" by providing that a woman divorced under either local or foreign decree may resume her maiden or prior name

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 192) entitled "An act authorizing women who have been divorced from the bonds of matrimony to retake and use their maiden names and making certified copies of their election evidence in all cases" is hereby amended to read as follows

Section 1 It shall be lawful for any woman who has heretofore been or shall hereafter be divorced from the bonds of matrimony to retake and thereafter use her maiden name or her prior name Every such woman who elects to resume her maiden name or her prior name shall file a written notice avowing such intention in the office of the prothonotary of the court in which such decree of divorce was entered showing the caption and number and term of the proceeding in divorce and duly acknowledged before a notary public Where a divorced woman has a decree of divorce granted in a foreign jurisdiction a certified copy of such foreign divorce decree shall be filed with the prothonotary of the county where the affiant resides and thereafter such a woman desiring to resume either her maiden name or her prior name may file a written notice so to do by making full reference therein to the filing of the foreign divorce decree with the prothonotary of the county where the affiant resides A copy of the [instrument] written notice in either case so filed duly certified by the prothonotary shall be competent evidence for all purposes of the right and duty of such woman to use such maiden name or her prior name thereafter

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,

Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—1

DuBois,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1118, Printer's No. 239 and

House Bill No. 119, Printer's No. 240,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1126 as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the inspection period for certain vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 823 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1360) is hereby further amended to read as follows

Section 823 Official Inspections

(a) On and after the first day of every May and until and including the thirty-first (31) day of July and on and after the first day of every November and until and including the thirty-first (31) day of January every owner of a motor vehicle (except a commercial motor vehicle motor bus motor omnibus truck tractor trailer or semi-trailer) being operated in this Commonwealth [except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds] motorcycles and bicycles with motor attached shall submit such motor vehicle [trailer or semi-trailer] to such inspection of its mechanism and equipment as may be designated by the secretary [Provided That motor]

Every owner of a commercial motor vehicle motor bus motor omnibus truck tractor trailer and semi-trailer being operated in this Commonwealth except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds shall submit the same to such inspection of its mechanism and equipment as may be designated by the Secretary on or after the first day of every August and until and including the thirty-first day of October and on and after the first day of every February and until and including the last of April

Motor vehicles trailers and semi-trailers determined by the department to be exempt from registration under the provisions of section four hundred one subsection (d) of this act and antique motor vehicles if operated on the public highways of this Commonwealth only during the period between sunrise and sunset shall be exempt from the lighting equipment provisions of this act

Section 2 The provisions of this act shall become effective on the first day of August one thousand nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Stank,	Metz,

Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—1

DuBois,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1188 as follows:

An Act to further amend Section 3 of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" by changing the provisions concerning the registration or transfer of securities to or by fiduciaries or their nominees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 468) entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto" as amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 949) is hereby further amended to read as follows

Section 3 Registration or Transfer of Securities to or by Fiduciaries or Their Nominees If a fiduciary or the nominee of a fiduciary in whose name are registered or to be registered any shares of stock bonds or other securities of any corporation public or private or company or other association or of any trust applies for the registration or transfer of the same such corporation or company or other association or any of the managers of the trust or its or their transfer agent is not bound (except as required by Section 8-403 of the act approved the sixth day of April one thousand nine hundred fifty-three (Act No. 1) known as the Uniform Commercial Code) to inquire whether the fiduciary or nominee is committing a breach of his obligation as fiduciary or nominee in making such registration or transfer or to see to the performance of the fiduciary obligation and is liable for such registration or transfer only where such registration or transfer is made with actual knowledge that such fiduciary or nominee is committing a breach of trust in requesting such registration or transfer or with knowledge of such facts that its or their participation in such registration or transfer amount to bad faith

Section 2 The provisions of this act shall become effective at 12:01 A. M. on the first day of July one thousand nine nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le F.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1217, Printer's No. 213,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1252, as follows:

An Act to amend section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by defining imprisonment making the crime of prison breach a felony and fixing the penalty therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 309 Prison Breach [Whoever being charged with an indictable offense breaks prison or escapes or shall break prison although no escape is actually made is guilty of prison breach a misdemeanor and on conviction thereof shall be sentenced to undergo imprisonment by separate and solitary confinement at labor not exceeding two (2) years if the charge on which such person stood committed was an offense punishable on conviction by imprisonment by separate and solitary confinement at labor or to imprisonment not exceeding one (1) year if such charge was an offense punishable on conviction by simple imprisonment without labor

Whoever being imprisoned after conviction of an offense other than murder in the first degree or where the sentence is imprisonment for life breaks prison although no escape is actually made by him is guilty of prison breach a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment to commence from the expiration of his original sentence of the like nature and for a period of time not exceeding the original sentence by virtue of which he was imprisoned

The judges of the courts of oyer and terminer quarter sessions and general jail delivery may sentence any prisoner who may be convicted of prison breach to the penitentiary for said offense and add to said sentence for prison breach a further sentence to the said penitentiary for the remainder of the term which said prisoner was serving at the time of his escape or attempt to escape and said sentence shall release the prisoner from serving the remainder of the term he was serving at the time of his escape or attempt to escape] Any person undergoing imprisonment who breaks prison and escapes or shall break prison although no escape is actually made is guilty of prison breach a felony and on conviction thereof shall be sentenced to undergo imprisonment by separate and solitary confinement at labor for a term not exceeding twenty (20) years

Said sentence shall commence from the expiration of the original sentence and any other sentences previously imposed which remained to be served at the time the offense of prison breach was committed

If the offense of prison breach is committed while such person is undergoing imprisonment in any institution other than a State penal or correctional institution the judges of the courts of oyer and terminer general jail delivery and quarter sessions of the peace may sentence such prisoner to the proper penitentiary for the crime of prison breach and add to said sentence for prison breach a further sentence to the said penitentiary for a period of time equal to the term or terms which remained to be served at the time of the offense of prison breach on the original sentence and any other sentences previously imposed

The word "imprisonment" as used in this section means actual confinement in any penal or correctional institution located in this Commonwealth or any restraint by lawful authority pursuant to a court order or after conviction of any crime

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Varallo,
Bucchin,	Jenkins,	Munley,	Varner,
Buchanan,	Jim,	Murray, J. J.,	Toll,
Bullen,	Johnson,	Murray, P. G.,	Tompkins,
Capano,	Jones, Geo. E.,	Musto,	Toomey,
Cianfrani,	Jones, Gran'le E.	Naugle,	VanSant,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, O. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted

In the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1267, as follows:

An Act to further amend subsection (c) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by increasing the minimum amount of interest and charges on loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" as amended by the acts approved the tenth day of March one thousand nine hundred forty-nine (P. L. 305) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1485) is hereby further amended to read as follows

Section 12 Interest and Charges

* * * * *

(c) A minimum of twenty-five [($.25)] cents ($.25) on loans of [five dollars ($5.00)] three dollars and ninety-nine cents ($3.99) or less [and] a minimum of fifty cents ($.50) on loans [in excess of five dollars ($5.00)] of more than three dollars and ninety-nine cents ($3.99) and not in excess of six dollars and ninety-nine cents ($6.99) a miimum of seventy-five cents ($.75) on loans of more than six dollars and ninety-nine cents ($6.99) and not in excess of eleven dollars and ninety-nine cents ($11.99) and a minimum of one dollar ($1.00) on loans in excess of eleven dollars and ninety-nine cents ($11.99) may be collected on any loan for interest and charges

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1282, Printer's No. 263,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 68, as follows:

An Act to amend the title and to further amend the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" by increasing the maximum loan to six hundred ($600) dollars fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" is hereby amended to read as follows

An Act

Regulating the business of loaning money in sums of [three hundred ($300)] six hundred ($600) dollars or

less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act

Section 2 The first paragraph of section 1 and sections 2 and 6 of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 989) are hereby further amended to read as follows

Section 1 Be it enacted &c That on and after the passage of this act it shall be unlawful for any person persons partnership association or corporation within this Commonwealth to make a loan of money credit goods or things in action in the amount or of the value of [three hundred ($300)] six hundred ($600) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities and charge contract for or receive on any such loan a rate of interest discount fines charges or consideration greater than six percentum (6%) per annum without first obtaining a license from the Secretary of Banking in accordance with the provisions of this act

Section 2 Any person persons copartnership association or corporation who shall obtain a license in accordance with the provisions of section one of this act shall be entitled to loan money in sums of [three hundred ($300)] six hundred ($600) dollars or less either or without security to individuals pressed by lack of funds to meet immediate necessities at his their or its place of business for which said license is issued and to charge the borrowers thereof for its use or loan interest at a rate not to exceed three (3) per centum per month on that part of the unpaid principal balance of any loan not in excess of one hundred fifty ($150) dollars and two (2) per centum per month on that part of the unpaid principal balance of any loan in excess of one hundred fifty ($150) dollars and one (1) per centum per month on any remainder of such unpaid principal balance In the case of loans made upon the security of tangible personal property physical possession of which is taken by the licensee the licensee shall not charge interest at a rate in excess of such rates as are provided for by the act approved the sixth day of April one thousand nine hundred and thirty-seven Number 51 (P. L. 200) for loans of similar character or the rates provided by this act whichever are the lower Provided however That in no event shall the rates charged exceed the rates provided by this act No licensee shall induce or permit any borrower to split up or divide any loan No licensee shall induce or permit any person nor any husband and wife jointly or severally to become obligated directly or contingently or both under more than one contract of loan at the same time for the purpose or with the result of obtaining a higher rate of interest than would otherwise be permitted by this section No fees fines or other charges either in addition to or as a part of the above specified interest shall be charged or collected under any pretext whatsoever

A contract for a loan under the the provisions of this act shall not be made for a period in excess of [eighteen (18)] twenty-four (24) month Interest on any unpaid balances after [eighteen (18)] twenty-four (24) months shall be payable at the rate of six (6%) per centum per annum Interest shall not be payable in advance or compounded and shall be computed only on unpaid balances for the time that has elapsed at date of payment Whenever a judgment is entered after the enactment of this act following the expiration of contracts made prior to the enactment of this act interest shall be computed at the rate of six (6%) per centum per annum If interest in excess of that hereinbefore prescribed shall be received by any licensee the said licensee shall thereupon lose all his right to collect or receive the interest allowed under this act and shall be entitled to recover from the borrower only the amount actually loaned together with interest at the rate of six per centum per annum upon unpaid balances less any and all amounts already paid by the borrower on account of said loan either as principal or interest Any person borrowing money from any licensee under this act who shall be charged and pay any interest in excess of that prescribed and allowed by the provisions of this act shall be entitled to recover back from the lender by action at law begun at any time within two years from the date of the last payment any and all sums of money so charged and paid in excess of the amount of the original loan together with interest at the rate of six per centum per annum upon unpaid balances up to the date of final payment of said loan and in addition fifty ($50) dollars as a penalty to be paid to the borrower

Section 6 A Every person persons copartnership association or corporation licensed under this act or any partner director officer agent or member thereof who shall violate any provision of this act or shall direct or consent to such violation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine or not more than five hundred ($500) dollars for the first offense and for each subsequent offense a like fine and to suffer imprisonment not to exceed six months or both in the discretion of the court

B Every person persons copartnership association or corporation or any partner director officer agent or member thereof who shall directly or indirectly as principal agent or broker by any device subterfuge or pretense whatsoever charge contract for or receive any interest discount fees fines charges or consideration greater than six per centum (6%) per annum upon the loan use or forbearance of money goods or things in action or upon the loan use or sale of credit of the amount or value of [three hundred ($300)] six hundred ($600) dollars or less without having obtained a license under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred ($500) dollars or more than five thousand ($,5000) dollars or to suffer imprisonment of not less than six (6) months or more than three (3) years or both at the discretion of the court

C No loan of the amount or value of [three hundred ($300)] six hundred ($600) dollars or less for which interest discount fees charges or consideration greater than six per centum (6%) per annum has been charged contracted for or received except as authorized by this act wherever made shall be enforced in this Commonwealth and the borrower shall not be required to pay any principal interest or charges whatsoever This provision shall not apply to loans legally made in any state which then has in effect a regulatory small loan law similar in principle to this act

D The payment of [three hundred ($300)] six hundred ($600) dollars or less in money credit goods or things in action as consideration for any sale or assignment of or order for the payment of wages salary commissions or other compensation for services whether earned or to be earned shall for the purposes of regulation under this act be deemed a loan secured by such assignment and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall for the purpose of regulation under this act be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable Such transactions shall be governed by and subject to the provisions of this act

E The payment of [three hundred ($300)] six hundred ($600) dollars or less in money credit goods or things in action as consideration for any sale of real or personal property which is made on condition or agreement expressed or implied that such property be sold back at a greater price shall for the purpose of this act be deemed to be a loan secured by such property and the amount by which the repurchase price exceeds such original purchase price actually paid shall deemed interest or charges upon such loan from the date such original payment is made until the date such repurchase price is paid Such transaction shall be governed by and subject to the provisions of this act

F When real or personal property is pledged as security

on a loan of [three hundred ($300)] six hundred ($600) dollars or less and the lender requires the borrower to pay for insurance thereof or when the lender requires life insurance as security to a loan of [three hundred ($300)] six hundred ($600) dollars or less such charge for insurance shall be construed as interest under this act when the lender has failed to have such insurance written by an insurance company legally authorized to conduct business in Pennsylvania When the amount charged for such insurance is in excess of the standard cost of similar insurance in other insurance companies legally authorized to conduct business in Pennsylvania the excess shall be construed as interest under this act

Section 3 The provisions of this act shall become effective thirty days after final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hooker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pettigrew,	Welsh,
Dougherty,	Kornick,	Pfaff,	Wescott,
Down,	Kratz,	Phillips,	Whalley,
Downey,	Kromer,	Polaski,	Wheeler,
DuBois,	Kubacki,	Polen,	White,
Dunn,	Lafore,	Poltenstein,	Whitenight,
Erb,	Lederer,	Price,	Willaredt,
Ewing,	Leisey,	Quisenberry,	Williams,
Farabaugh,	Leonard,	Ragot,	Wilt,
Fenrich,	Leven,	Readinger,	Wood,
Ferster,	Light,	Reagan,	Worley,
Filo,	Limper,	Reidenbach,	Yeakel,
Flack,	Lippincott,	Richter,	Yetzer,
Fleischman,	Lopresti,	Rosen,	Young,
Floyd,	Lovett,	Rovansek,	Zeitz,
Flynn,	Lutty,	Royer,	Ziegler,
Frost,	Maguire,	Rubin,	Smith, C. C., Speaker
Geer,	Mahan,	Sarraf,	

NAYS—2

Curwood,	Seyler,

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 354, as follows:

An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against will and the procedure in reference thereto" by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Sction 14 Rules of Interpretation In the absence of a contrary intent appearing therein wills shall be construed as to real and personal estate in accordance with the following rules

* * * *

(15) If in a will no express disposition or other mention is made of a cemetery lot owned by the testator at his decease and wherein he or any member of his family is buried the ownership of the lot shall not pass from his lawful heirs by a residuary or other general clause of the will but shall descend to his heirs as if he had died intestate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution the yeas and nays were taken and were as follows:

YEAS—205

Adam	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,

Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Worley,
Fenrich,	Light,	Reidenbach,	Wood,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C., Speaker
Frost,	Mahan,	Schmidt,	
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 391, as follows:

An Act to further amend subsection (e) of section 608 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing applicant and operators license requirements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section 608 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1368) is hereby further amended to read as follows

Section 608 Examination of Applicants and Operators

* * * * *

(e) Following any examination and pending the issue of the operator's license the secretary's representative may authorize any applicant who has qualified as an operator to operate for a period of thirty (30) days a motor vehicle or tractor with his learner's permit card and when it was required without being accompanied by a licensed operator provided such learner's permit card is properly approved for such purpose

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetzer,
Flack,	Lopresti,	Rovansek,	Young,

Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 416, Printer's No. 135,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 474, as follows:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interests of public health" by providing certain exceptions to said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" as last amended by the act approved the thirtieth day of June one thousand nine hundred fifty-one (P. L. 955) is hereby further amended to read as follows

Section 1 The drug known as penicillium (penicillin) and any of its derivatives preparations or compounds of the same except penicillin teat dilators and veterinarian ointment for mastitis and penicillium (penicillin) its derivatives preparations and compounds when used in the supplementation of animal or poultry feeds and animal or poultry feeds when so supplemented not intended for human consumption shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name and the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boles,	Harris,	Miller,	Stone,
Bolton,	Haudenshield,	Mills,	Stoner,
Bomberger,	Helm,	Monroe,	Strausser,
Boory,	Hersch,	Moody,	Sucher,
Bower,	Hewitt,	Moore,	Taylor,
Breisch,	Hocker,	Moran,	Thomas,
Breth,	Hoggard,	Moscrip,	Thompson,
Brown,	Ide,	Muldowney,	Toll,
Bucchin,	Jenkins,	Munley,	Tompkins,
Buchanan,	Jim,	Murray, J. J.,	Toomey,
Bullen,	Johnson,	Murray, P. G.,	VanSant,
Capano,	Jones, Geo. E.,	Musto,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh,
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams
Ewing,	Leonard,	Readinger,	Wilt,
Farabaugh,	Leven,	Reagan,	Wood,
Fenrich,	Light,	Reidenbach,	Worley,
Ferster,	Limper,	Richter,	Yeakel,
Filo,	Lippincott,	Rosen,	Yetter,
Flack,	Lopresti,	Rovansek,	Young,
Fleischman,	Lovett,	Royer,	Zeitz,
Floyd,	Lutty,	Rubin,	Ziegler,
Flynn,	Maguire,	Sarraf,	Smith, C. C.,
Frost,	Mahan,	Schmidt,	Speaker
Geer,	Markley,		

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTION

CONGRATULATIONS

Messrs. HOCKER and KENT offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, May 21, 1953.

The wont of man to name each period or era has caused

the atomic age we live in to be designated many things; but to one of us, it became, recently and irrevocably, the age of antiquity. An energetic and tireless young member of this House, on May 6, 1953, became a feeble and senile ancient, who desperately needs the care we intend to give him.

Our Chevrolet huckster from Susquehanna, the venerable Harold G. Wescott, on that day became the grandfather of the daughter of Mr. and Mrs. William Major. The experience of the occasion is more terrible than the fact of it, for he never faced the ordeal before. But he bore it bravely, and with a soundness of purpose never associated with a trial of this kind.

Those who contend that his gift of a Chevrolet Bel-Aire hardtop convertible to his granddaughter is impractical, do not know that he will introduce and see into law, an act lowering to seven months the age requirement for a driver's license. The age decided upon will permit her to drive her 1953 model in 1953.

In 1954 she will receive a new one, and on her first birthday she will be presented with its perfect accessory —a seven room ranch style trailer, complete with two bath rooms, swimming pool, tennis court and back-up lights.

The former Margaret Lang Pritchard, who married the object of our affections, has been patient through it all, and we are informed, is at least in some small way partly responsible for the happy event of May sixth; therefore be it

Resolved, That the members of the House of Representatives congratulate Susan on her wise selection of grandparents and admonish her to be forever grateful for the good judgment each displayed in marrying the other: and be it further

Resolved, That each individual member of this House reaffirm his Boy Scout pledge and promise faithfully to assist Harold G. Wescott across the street, whenever that dangerous endeavor, (considering his status) confronts him: and be it further

Resolved, That copies of this resolution be forwarded to the parents of the young lady at Seaford, Delaware and to the grandparents at Susquehanna, Pennsylvania.

The SPEAKER. Will the gentleman and aged grandfather present himself to the rostrum with the help of the gentlemen from Dauphin, Mr. Hocker and the Majority Whip, Mr. Kent.

The Chair is always happy to help someone in his dotage in his old age. Realizing from the resolution the decrepitude and the recklessness which this gentleman is now in position to be placed in, because of being a grandfather, and bearing his burden seriously on his shoulders, the Chair will present this gift (a cane) to the new grandfather.

The SPEAKER. The Chair recognizes the gentleman from Susquehanna, Mr. Westcott, and hopes his voice does not quiver too much.

Mr. WESCOTT. Mr. Speaker, I do not know about now, but this cane might help later. I hope I do not need it right away.

I apreciate this resolution, and my grandchild is wonderful.

I thank you all.

RESOLUTION

Mr. TOLL offered a resolution which was filed with the Clerk.

PUBLIC HEARINGS

There will be a Public Hearing before the Committee on Mines and Mining on House Bill No. 1240, on Tuesday, May 26th, at 10:00 a. m. DST., in the Republican New Caucus Room.

ADJOURNMENT

Mr. FARABAUGH. Mr. Speaker, I move that this House do now adjourn until Monday, May 25, 1953 at 3:30 p. m. EST.

The motion was agreed to, and (at 1:19 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, MAY 25, 1953. No. 43.

SENATE

MONDAY, May 25, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Almighty God, our Heavenly Father, as we have gathered here for another week's work, and we have come through a week-end that was full of opportunities to show our love and our friendship to our fellow men, help us that we may continue that this week and work together in friendship and in love to help all those who are in need of our help. Let us each day feel like the poet did when he said:

"Let me live in a house by the side of the road,
"Where the race of men go by;
"The men who are good and the men who are bad,
"As good and as bad as I;
"I would not sit in the scorner's seat,
"Nor hurl the cynic's ban;
"Let me live in a house by the side of the road,
"And be a friend to man."

We ask it in Jesus' Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. STEVENSON, for today's Session only, because of important personal business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Chester L. Fox, R. D. No. 2, Reynoldsville, Jefferson County, for appointment as Justice of the Peace in and for the township of Winslow, Jefferson County, until the first Monday of January 1956, vice Joseph Vetro, resigned.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA FISH COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace Dean, Meadville, Crawford County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1961, and until his successor is appointed, vice Philip E. Angle, Sharon, whose term expired.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert L. Buchanan, 1340 Elk Street, Franklin, Venango County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice Robert Lamberton, Franklin, deceased.

JOHN S. FINE.

BRIGADIER GENERAL, PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry K. Fluck, Somerset, Somerset County, for appointment as Brigadier General of the Pennsylvania National Guard, to serve until terminated.

JOHN S. FINE.

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles C. Curtis, 2625 Allen Street, Allentown, Lehigh County, for appointment as Major General of the Pennsylvania National Guard, to serve until terminated.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. M. Reed, 99 Third Street, Jeddo, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Jeddo, Luzerne County, until the first Monday of January 1954, vice William T. Howells, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George G. Jeffries, 14 East Sixth Street, Media, Delaware County, for appointment as Justice of the Peace in and for the Borough of Media, Delaware County, until the first Monday of January 1956, vice Fred T. Cooper, deceased.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 25, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as Notaries Public, for terms of four years to compute from date of confirmation:

ALLEGHENY COUNTY

Miss Diane C. Adisey, Castle Shannon, 4156 Library Road, Pittsburgh.

Miss Laurene C. Anthony, Pittsburgh, 2336 West Liberty Avenue (26).

John H. Dicoskey, East Pittsburgh, 663 Braddock Avenue.

Edward G. Donnelly, Pittsburgh, 1025 Brownsville Road (10)

Peter J. Donnelly, Jr., Pittsburgh, 516 Brownsville Road (10).

Otis M. Fawcett, Munhall.

Mrs. Irma Gallino, Pittsburgh, 256 Fifth Ave.

Joseph T. Harcarik, North Braddock, Braddock.

Frank C. Irvine, Jr., Tarentum.

Max Lapiduss, Pittsburgh, 715 Fifth Ave.

Miss Beulah A. Lensner, Hampton Twp., Wildwood.

John L. McIntyre, Pittsburgh, 535 Smithfield Street (22).

Mrs. Sadie Pernell-Herron, Pittsburgh, 828 Gearing Ave.

Kenneth F. Smith, Pittsburgh, 407 Gearing Ave.

Howard A. Taylor, Pittsburgh, 3701 Liberty Avenue (1).

ARMSTRONG COUNTY

Bart. C. Favere, Leechburg.

Harry W. McCauley, Kittanning.

BLAIR COUNTY

Arthur M. Hess, Hollidaysburg.

BUTLER COUNTY

Robert A. Bachman, Jefferson Twp., Cabot.

DAUPHIN COUNTY

Miss Helen D. Foulk, Harrisburg.

Maxwell E. Wyle, Harrisburg.

DELAWARE COUNTY

James L. Corse, Rutledge.

Mrs. Helen S. Spackman, Rutledge.

ERIE COUNTY

Miss Charleen M. Gussman, Erie.

Samuel Silver, Erie.

FULTON COUNTY

Geo. Grissinger, Jr., McConnellsburg.

LUZERNE COUNTY

George W. Feussner, Freeland.

Mrs. Winifred M. Learn, Hazleton.

Miss Marie Nuzzalo, West Pittston.

LYCOMING COUNTY

Anthony Infantino, Williamsport.

LUZERNE COUNTY

Miss Bessie A. Thomas, Wilkes-Barre.

MONTOUR COUNTY

Mrs. Louise S. Morrison, Danville.

PHILADELPHIA COUNTY

Bernard H. Cooperman, 1805 S. Newkirk Street (45).

Michael Cristinzio, 2124 Disston Street(24).

John H. Irvin, 130 North 22d Street (3).

Maurice Loeb, 2121 W. Columbia Ave. (21).

Morton L. Smith, 8100 Germantown Ave. (18).

P. L. Stover, 1515 N. Broad Street (22).

Edward J. Weick, 1337 E. Carey Street.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 9, PRINTER'S No. 16

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 9, Printer's No. 16, entitled "An Act to further amend subsection C of section 1009 and section 1408 of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled as amended 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' by changing the limitations on the amount which may under certain circumstances be invested in the title insurance companies and by making further provision concerning the effect of merger or consolidation of banking institutions."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 122, PRINTER'S No. 184

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 122, Printer's No. 184, entitled "An Act to amend the third paragraph of Section two hundred twenty and to reenact and amend subsection C of section two hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' by exempting certain members of the armed forces from the payment of a fee to the Commonwealth for resident and non-resident fishing licenses."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 136, PRINTER'S No. 25

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 136, Printer's No. 25, entitled "An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled 'An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers' by specifying in more detail the authority of recorders of deeds in certain instances."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 211, PRINTER'S No. 29

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 211, Printer's No. 29, entitled "A Supplement to the act approved the twenty-first day of January one thousand nine hundred fifty-two (1951-52 P. L. 2182) entitled 'An act to promote the uniform development of Allegheny County creating the metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions' by extending the term of such commission until the end of the 1955 Session of the General Assembly."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 294, PRINTER'S No. 69

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 294, Printer's No. 69, entitled "An Act to further amend subsections (b) (c) and (e) of section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' by clarifying the identity of certain taxing districts."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 422, PRINTER'S No. 139

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 422, Printer's No. 139, entitled "An Act to further amend sections seven and eight of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled as amended 'An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts' by increasing certain fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 423, PRINTER'S No. 140

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 423, Printer's No. 140, entitled "An Act to amend sections ten fourteen and fifteen of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 616) entitled 'An act defining regulating and providing for the licensing and registration of employment agents and their representatives including private employment agents theatrical employment agencies and nurses' registries providing for revocation and suspension of licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction providing penalties and repealing existing laws' by increasing certain fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 424, PRINTER'S No. 141

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 424, Printer's No. 141, entitled "An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled 'An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties' by increasing certain fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 425, PRINTER'S No. 142

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 425, Printer's No. 142, entitled "An Act to further amend sections four five and ten of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended 'An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act' by increasing certain fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 426, PRINTER'S No. 143

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 426, Printer's No. 143, entitled "An Act to further amend section three hundred five of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' by increasing certain fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 427, PRINTER'S No. 144

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 427, Printer's No. 144, entitled "An Act to amend section five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled 'An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violation of this act and repealing all acts or parts of acts inconsistent with this act' by increasing certain fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 428, PRINTER'S No. 145

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 428, Printer's No. 145, entitled "An Act to amend the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 926) entitled 'An act relating to the manufacture repair renovating cleansing sterilizing and disinfecting of mattresses pillows bolsters feather beds and other filled bedding cushions and upholstered furniture intended for sale or lease and to the sale or lease thereof requiring the placing of tag and adhesive stamp on such material providing for the sale of adhesive stamps authorizing and requiring the Department of Labor and Industry to adopt rules and regulations pro-

viding penalties and repealing certain acts' by increasing certain fees."

JOHN S. FINE.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 68, entitled:

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen, (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

Senate Bill No. 354, entitled:

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

Senate Bill No. 391, entitled:

An Act to further amend subsection (e) of section 608 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Common wealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making applicant and operators license requirements.

Senate Bill No. 474, entitled:

An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health" by providing certain exceptions to said act

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, at the present time we have a law which provides for the periodical examination of school children and preschool children, at a cost of a little more than $9,000,000 to the Commonwealth. In a great many school districts, we are having difficulty in procuring dentists and physicians who will take this job at $1.50 for a medical examination, and seventy-five cents, I think, for a dental examination, plus clerical fees.

Mr. President, I am not introducing this bill for the sake of saving the Commonwealth $9,000,000. I am looking a little bit farther ahead and seeing how often the examination does not amount to any thing, because at the present time the law required that the physician examine four children per hour. In a lot of school districts, where they have difficulty in getting this physician to do this work, he will very often examine as many as twenty-eight to thirty pupils an hour. I do not think it is fair to that parent; I do not think it is fair to the school district; I do not think it is fair to the child.

Mr. President, this proposal that I have will make sure that the child, before entering the first grade, besides producing a vaccination certificate, will also produce a certificate that he has been examined by his local physician or dentist, in the first grade, in the fifth grade and in the ninth grade.

Mr. President, this bill provides that the individual pay for his own examination. We do know that there are many families who cannot afford to pay for it, so I think that the school district's doctor can do it in that case. Every school district does have their own physician to do this examination.

Mr. President, another one of the bad features of the school examinations today is the fact that in a great many of the school districts, especially out in the country schools, they do not have the lighting facilities to examine the pupils, and I feel that this bill is not only good for the child, but it is good for the health program as we now have it in Pennsylvania, at a great saving to the Commonwealth.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 617, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by eliminating the provisions of the act which provide for periodical medical and dental examinations at public expense, and requiring such examinations to be made at the cost of the individual.

Which was committed to the Committee on Public Health and Welfare.

Mr. PEELOR read in his place and presented to the Chair Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal in any court of record in this Commonwealth to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

Which awas committed to the Committee on Judiciary General.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 619, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by deleting and changing certain routes in Montgomery County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 620, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by deleting a route in Montgomery County.

Which was committed to the Committee on Highways.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 621, entitled:

An Act making an appropriation to the Pennsylvania Department of Agriculture for developing and operating a beef cattle show.

Which was committed to the Committee on Appropriations.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 622, entitled:

An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by making editorial corrections; increasing compensation payable to minors in certain cases and making an appropriation to pay physicians and surgeons appointed by board or referee to make examinations.

Which was committed to the Committee on Labor and Industry.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, the Delaware River Bridge Commission, which spans the Delaware from Philadelphia into Camden, has proposed an increase in the rate from twenty cents a trip to twenty-five cents. The additional revenues they claim they need in order to construct a proposed bridge which will be built further up the Delaware River, to carry the additional traffic.

Mr. President, I do not believe, and I believe most of the people in Philadelphia feel the same way, that it is absolutely necessary that they incease this rate. The volume of traffic going across this bridge is now greater than ever in its history. Each week-end finds that the volume of traffic is steadily increasing.

Mr. President, the Delaware River Bridge Commission has been operating for some time in a little world of their own. They account to no one, and no one can seem able to call them to task or find out exactly what is going on.

Mr. President, the bridge, I believe, when it was originally constructed, one of the statements made at the time was that there would be a time in the very very near future when there would be no toll charge at all, as the bridge would have paid for itself. That bridge has gone from a five or six lane highway to an eight lane highway, and they are still unable to carry the heavy traffic which takes place there every day and especially on week-ends.

Therefore, Mr. President, I am introducing a bill to limit the amount of toll that they may charge and maintain at the present level, until such time as the Commission feels that they can show a need for a greater revenue.

BILL INTRODUCED AND REFERRED

Messrs. WEINER and CAMIEL read in place and presented to the Chair Senate Bill No. 623, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor, on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey under which tolls on passenger cars would not exceed twenty cents each

Which was committed to the Committee on Highways.

CALENDAR

FINAL PASSAGE CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 446, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating workmen's compensation and occupational disease insurance rates and changing the provision relating to such insurance as to policy requirements suits for premiums and annual reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 651 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 651 Policy Provisions Every policy of insurance against liability under the "Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto shall contain the agreement of the insurer to pay all compensation and provide all medical surgical and hospital attendance for which the insured employer may become liable under [the act] such acts during the term of such insurance and the further agreement that as between the insurer and any claimant under [the act] such acts notice to the employer or the employer's knowledge of an accident or injury or disability caused by occupational disease constituting the basis of a claim under [the act] such acts shall be notice to and knowledge of the insurer Such agreements shall be construed to be a direct promise to the injured employe or to the dependents of a deceased employe having a claim under [the act] such acts and shall be enforceable by action brought in the name of such injured employe or in the name of such dependents Such obligation shall not be affected by any default of the insured after [the] an accident or after disability caused by occupational disease in the payment of premiums or in the giving of any notices required by such policy or otherwise

Section 2 Section 652 of the act as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 983) is hereby further amended to read as follows

Section 652 Suits for Premiums No suit shall be maintained for the collection of premiums upon any policy of insurance under "The Workmen's Compensation Act of nineteen hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto which violates any of the provisions of this act All premiums and interest charges on account of policies insuring employes against liability under this chapter which may be due to the State [insurance fund] Workmen's Insurance Fund or any stock corporation or mutual association authorized to transact the business of insurance in this State and all judgments recovered by the State [insurance fund] Workmen's Insurance Fund or any such insurance corporation or association against any employer on actions brought under any such policy shall be deemed preferred claims in all insolvency or bankruptcy proceedings trustee proceedings for administration of estates and receiverships involving the employer liable therefor or the property of such employer provided however that claims for wages shall receive prior preference in all such proceedings

Section 3 Section 653 of the act is hereby amended to read as follows

Section 653 Prohibited Policy Provisions No policy of insurance against liability under "The Workmen's Compensation Act of nineteen hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto shall contain any limitation of the liability of the insurer to an amount less than that for which the insured employer may become liable under [the act] such acts during the term of such insurance No such policy or contract of insurance nor any agreement to deliver such insurance shall be issued except upon a form approved by the Insurance Commissioner as complying with all the terms and provisions of this act But a policy may be issued to a self-insurer qualified under section three hundred five of article three of "The Workmen's Compensation Act of nineteen hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under section three hundred five of article three of "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto providing for the payment of any stated loss in excess of ten thousand dollars falling upon such self insurer under the terms of the said [act] acts by reason of any single accident or by reason of any single occurrence resulting in disability from occupational disease

Section 4 Section 654 of the act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 607) is hereby further amended to read as follows

Section 654 Classification of Risks Underwriting Rules Premium Rates and Schedule and Merit Plans The classification of risks underwriting rules premium rates and schedule or merit rating plans for insurance of employers and employes under "The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof or supplementary thereto and for insurance under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto and for insurance with respect to the Commonwealth of Pennsylvania as to liability under "The United States Longshoremen's and Harbor Workers' Compensation Act" of one thousand nine hundred twenty-seven and acts amendatory thereof or supplementary thereto written as a part of a Workmen's Compensation and Employers' Liability policy shall be proposed annually by one or more rating bureaus said rating bureau or bureaus to be situate within the Commonwealth of Pennsylvania subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus and in the preparation of schedules no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe

The classification of risks underwriting rules premium rates and schedule [of] or merit [or] rating plans for insurance of employers and employes under ["The Workmen's Compensation Act of nineteen hundred and fifteen" and acts amendatory thereof] such acts shall be filed with and shall be subject to review by the Insurance Commissioner and the Insurance Commissioner shall by order modify amend or approve the same Any person corporate or otherwise aggrieved by such order classification rule rate or schedule issued by the Insurance Commissioner

may obtain a review thereof before the Insurance Commissioner and if still aggrieved by such reviewed order classification rule rate or schedule may obtain a further review thereof in the Common Pleas Court of Dauphin County of the Commonwealth of Pennsylvania by filing in the said court a written petition praying that the order classification rule rate or schedule issued by the Insurance Commissioner be modified amended or set aside in whole or in part The judgment and decree of said court modifying or enforcing or setting aside in whole or in part any such action of the Insurance Commissioner shall be final subject to review by the Superior Court of the Commonwealth of Pennsylvania upon certiorari or certificate as in such cases made or provided The commencement of proceedings under this section shall not unless specifically ordered by the court operate as a stay of the Insurance Commissioner's order

No risk classification underwriting rule premium rate or schedule or merit rating plan shall take effect without the consent of the Insurance Commissioner and he may withdraw his approval whenever in his judgment the same is inadequate or discriminates unfairly between risks of essentially the same hazard

Neither the State Workmen's Insurance Fund nor any insurance corporation mutual association or company shall issue renew or carry any policy or contract of insurance against such liability under ["The Workmen's Compensation Act of one thousand nine hundred and fifteen" and acts amendatory thereof] such acts except in accordance with the classifications underwriting rules premium rates and [schedules] schedule or merit rating plans proposed by the rating bureau or bureaus aforesaid for the risk insured and as modified amended or approved by the Insurance Commissioner for such insurer

Notwithstanding any other provisions of this section upon the written consent of the insured stating his reasons therefor filed with and approved by the Insurance Commissioner a rate in excess of that determined in accordance with the other provisions of this section may be used on any specific risk

A complete copy of every policy or a true copy of the substantive provisions of any policy or contract of insurance against such liability under ["The Workmen's Compensation Act of one thousand nine hundred and fifteen" or acts amendatory thereof] such acts and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto shall be filed with the rating bureau or bureaus aforesaid within a reasonable time after the effective date of any such policy endorsement contract or agreement

Section 655 of the act is hereby amended to read as follows

Section 655 Annual Report of Premiums and Loss Experience Penalties The State Workmen's Insurance Fund and every insurance company and every employes' mutual liability association which insures employers [or] and employes under "The Workmen's Compensation Act of one thousand nine hundred and fifteen" [or] and acts amendatory thereof or supplementary thereto or under "The Pennsylvania Occupational Disease Act of nineteen hundred and thirty-nine" and acts amendatory thereof or supplementary thereto or with respect to Pennsylvania under the "United States Longshoremen's and Harbor Workers' Compensation Act" of one thousand nine hundred twenty-seven and acts amendatory thereof or supplementary thereto when such liability is insured as a part of a Workmen's Compensation and Employers' Liability policy shall annually on or before the thirtieth day of June file with the Insurance Commissioner a sworn report of its premium and loss experience in such detail and form as may be prescribed by the Insurance Commissioner Any insurance carrier which neglects to make and file such statement in the form or within the time herein provided shall forfeit one hundred dollars for each day during which such neglect continues and upon notice by the Insurance Commissioner its authority to do business shall cease while such default continues

The Insurance Commissioner shall have the power to suspend or revoke the license of any insurance company which violates any of the provisions of subdivision (d) of this article

Section 6 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 447, as follows:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2 3 5 and 8 of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" are hereby amended to read as follows

Section 2 As hereafter used in this act unless the context or subject matter otherwise require

"Stock Fund" means the stock workmen's compensation security fund

"Mutual Fund" means the mutual carrier and reciprocal exchange workmen's compensation security fund created by this act

"Funds" means the stock workmen's compensation security fund and the mutual carrier and reciprocal exchange workmen's compensation security fund

"Fund" means either the stock fund or the mutual carrier and reciprocal exchange fund as the context may require

"Fund year" means the calendar year

"Stock Company" means any stock corporation authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent stock company

"Mutual carrier" means any corporation or association organized and operating on the mutual plan including the State Workmen's Insurance Fund authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent mutual carrier

"Reciprocal exchange" means any association or group of persons exchanging contracts of insurance or indemnity on the reciprocal or inter-insurance plan authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent reciprocal exchange

"Carrier" means either a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the context may require

"Insolvent stock company" "insolvent mutual carrier" or "insolvent reciprocal exchange" means a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the case may be which has been determined to be insolvent or for which or for the assets of which a receiver or liquidator howsoever entitled has been appointed by a court or public officer of competent jurisdiction and authority after the effective date of this act

"Commissioner" means the Insurance Commissioner of this Commonwealth

"Workmen's Compensation Law" means the workmen's Compensation Act of 1915 or any supplement [and] or amendment thereto or revision thereof and the Pennsylvania Occupational Disease Act of 1939 or any supplement or amendment thereto or revision thereof

Section 3 There is hereby created a fund to be known as "The Stock Workmen's Compensation Security Fund" for the purpose of assuring to persons entitled thereto the compensation provided by the [workmen's compensation law] Workmen's Compensation Law for employments insured in insolvent stock companies Such fund shall be applicable to the payment of valid claims for compensation heretofore or hereafter made pursuant to the [workmen's compensation act] Workmen's Compensation Law and remaining unpaid in whole or in part by reason of the default after the effective date of this act of an insolvent stock company Expenses of administration also shall be paid from the fund as herein provided Such fund shall consist of all contributions received and paid into the fund by stock companies as herein defined all property and securities acquired by and through the use of moneys belonging to the fund and of interest earned upon moneys deposited or invested as herein provided The fund shall be administered by the commissioner in accordance with the provisions of this act

Section 5 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every stock company shall pay into the stock fund on the first day of September one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending June thirtieth one thousand nine hundred and thirty-eight and thereafter each such stock company upon filing each annual return shall pay a sum equal to one per centum of its net written premiums for the period covered by such return When the aggregate amount of all such payments into the stock fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all stock companies for the payment of benefits under the Workmen's Compensation [Act] Law as of June thirtieth next preceding no further contributions to said fund shall be required to be made Provided however That whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said stock fund or by reasons of an increase of the loss reserves of all stock companies then such contribution to said fund shall be resumed from such date as the commissioner shall prescribe and shall continue until such fund over and above its know liabilities shall be equal to five per centum of such reserves

Section 8 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every mutual carrier and reciprocal exchange shall pay into the mutual fund on the first day of September one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending June thirtieth one thousand nine hundred and thirty-eight and thereafter each such mutual carrier and each such reciprocal exchange upon filing each annual return shall pay a sum equal to one per centum of its net written premiums as shown for the period covered by such return When the aggregate amount of all such payments into the mutual fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all mutual carriers and reciprocal exchanges for the payment of benefits under the Workmen's Compensation [Act] Law as of June thirtieth next preceding no further contributions to said fund shall be required to be made Provided however That whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said date by reason of payments from and known liabilities of said mutual fund or by reason of an increase of the loss reserves of all mutual carriers and reciprocal exchanges then such contributions to said fund shall be resumed from such date as the commissioner shall prescribe and shall continue until such fund over and above its know liabilities shall be equal to five per centum of such reserves

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 13, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2551 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted amended and renumbered Section 2531 by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) and as amended in part by the act approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1262) is hereby further amended to read as follows

Section 2531 Tax Levies Council may by ordinance levy and provide for the collection of the following taxes

1 A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided

2 A tax in addition to the above on all persons and property taxable for county purposes for the payment of interest on bonded indebtedness and for sinking fund requirements for the payment of loans

3 A [poll-tax] residentce tax for general revenue purposes not exceeding five dollars annually on all inhabitants above the age of twenty-one years Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

4 The council of any city may by ordinance in any year levy separate and different rates of taxation for city purposes on all real estate classified as land exclusive of the buildings thereon and on all real estate classified as build ings on land When real estate tax rates are so levied they shall be uniform as to all real estate within each such classification and such rates shall be determined by the requirements of the city budget as approved by council

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 253, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 165, as follows:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-one thousand dollars ($41,000) or as much thereof as may be necessary is hereby specifically appropriated from the World War II Veterans' Compensation Fund to the Department of Military Affairs for the two fiscal years beginning June first one thousand nine hundred fifty-three for the purpose of paying salaries wages postage printing and other necessary expenses incurred in payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the tnird reading and consideration of Senate Bill No. 310, as follows:

An Act to amend the title and further amend clause (h) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending to the Public Utility Commission jurisdiction over rates service and facilities of public utilities served by authorities or their agents beyond the limits of the municipalities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of sucn bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such

Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" is hereby amended to read as follows

An Act

Providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof [and conferring exclusive jurisdiction on certain courts over rates] and providing for the fixing and regulating of rates services and facilities

Section 2 Clause (h) of subsection B of section four of said act as last amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) is hereby further amended to read as follows

Section 4 Purposes and Powers General

* * * * *

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

* * * * *

(h) [To] Except as hereinafter provided to fix alter charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined [exclusively] by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the municipality incorporating or municipalities which are members of said Authority or with any municipality served or to be served by said Authority and except as hereinafter provided to determine [by itself exclusively] the services and improvements in the areas served [Provided That if]

If the service area includes more than one municipality the revenues from any project shall not be expended directly or indirectly on any other project unless such expenditures are made for the benefit of the entire service area Any person questioning the reasonableness or conformity of any rate fixed by any Authority and the services and improvements in the areas served may except as hereinafter provided bring suit against the Authority in the court of common pleas of the county wherein the project is located or if the project is located in more than one county then in the court of common pleas of the county wherein the principal office of the project is located [The] Except as hereinafter provided the court of common pleas shall have [exclusive] jurisdiction to determine the reasonableness and uniformity of rates and other charges fixed altered charged or collected by an Authority and the services and improvements in the area served Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision Any public utility service being furnished or rendered by an Authority or by any operating agency or agencies of the Authority beyond the corporate limits of the municipality or municipalities incorporating or municipality or municipalities whch are members of said Authority shall be subject to regulation and control by the Pennsylvania Public Utility Commission as to rates services and facilities in accordance with the provisions of the Public Utility Law applicable thereto with the same force and in like manner as if such services were rendered by a public utility It shall be unlawful for an Authority or any operating agency or agencies of an Authority to acquire construct or begin to operate any plant equipment or other facilities for the rendering or furnishing to the public of any public utility service beyond the corporate limits of the municipality or municipalities incorporating or municipality or municipalities which are members of said Authority without the approval of the Pennsylvania Public Utility Commission evidenced by its certificates of public convenience first had and obtained in accordance with the provisions of the Public Utility Law applicable thereto

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 465, Printer's No. 242, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 513, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty-six thousand three hundred eighty-seven dollars ($156,387) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred fifty-three for the payment of salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employes for the payment of postage

traveling expenses telephone toll charges telegrams newspaper advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other material supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 517, entitled:

An Act to amend the title and the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equaliation of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equzaliation Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by abolishing the State Tax Equalization Board; transferring the powers and duties thereof to the Department of Internal Affairs; and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I surmise that this bill has been carried on the calendar for some time now with the thought in mind, I imagine, that the Majority would secure a sufficient number of votes to rip John O'Neil out of office.

It is my understanding, Mr. President, that this gentleman was assigned his job by the Chief Executive of this Commonwealth. He did the job to the best of his ability. He has operated the Tax Equalization Board for a number of years very economically. As a matter of fact, Mr. President, his budget has not been increased since 1947.

Mr. President, it seems to me that the Tax Equalization Board should be a separate part of our government and should not be transferred to the Secretary of Internal Affairs. I feel also, Mr. President, if the Secretary of Internal Affairs can do a job that has cost the Commonwealth $500,000 a year for a long, long time, if he can do this job for $200,000, we should review his budget and cut his budget.

Mr. President, I ask my colleagues on both sides of the Senate to vote "no" on this bill because it is not a money saver.

Mr. MAHANY. Mr. President, first I want to say that this bill does not make any effort to spank Mr. O'Neil for anything that he did in connection with the Chesterman Committee Report.

Secondly, Mr. President, we feel that this bill will save the Commonwealth over $200,000, somewhere between $200,000 and $300,000, by doing away with a certain amount of duplication that would now exist in connection with these two departments.

Mr. President, when this department was set up originally, its chief duty was to find out the proper reimbursement fraction for school districts. This was done by obtaining data from the various counties relative to the amount of the actual valuation of property in those counties, and compare them with the assessed valuation. After that job was done throughout the Commonwealth of Pennsylvania, it seems to me that the work of this department certainly should now be cut down, because all they have to do now is to keep those figures current. The only job that this particular department has to do is give us that reimbursement fraction.

Mr. President, they have a number of International Business Machines over there, upon which we have to pay rent. There is an International Business Machine in the Department of Internal Affairs which could be used for this purpose. We could do away, at least, with the rental of those machines. The same is true with certain field workers in the field, which this department has. The Department of Internal Affairs has field workers and they can do this job. Also, the Department of Internal Affairs has offices in the Commonwealth, and so we would no longer be in need of the offices that the Tax Equalization Board has. We can cut out a lot of duplication and not hurt anybody. At the same time, we can save over $200,000 to the people of the Commonwealth of Pennsylvania.

Mr. President, the Democrats have talked a long while about the fact that we should be saving money from this budget. When we start out to do a job and try to save some money on the budget, then they arch their backs a little bit and say that they are not going to go along with it.

Mr. President, I can appreciate Senator's Lane's position. Mr. O'Neil comes from his county and probably, as a fellow "countian," he would like to keep him in office. I hope that Mr. O'Neil will obtain other employment and, if this bill goes through and becomes law, that he will not have to be deprived of grocery money.

Really, Mr. President, I believe from the information that I have received, with three men on this board,

drawing upwards of sixty some thousand dollars a biennium—about $68,000, I am informed—that amount of money can very well be saved without hurting anybody except those particular people who are holding the jobs, and I feel sure that they are high enough caliber men that they can get employment some place else.

Mr. President, if the Senators here really want to effect some saving in the budget, I feel sure that they will go along and vote for this bill.

Mr. LANE. Mr. President, it is rather unusual, I think, for the Majority Party to think about duplication of effort, when this office has been in existence since 1947. It seems to me that their thinking just about six years too late, if they are talking about duplication.

Let me say also, Mr. President, for the benefit of the Majority Leader, the Tax Equalization Board's work is not finished, not by any sense of the word. We passed legislation here in 1949 making it mandatory upon all counties, from the third to the eighth class, to re-appraise every piece of property in their counties. They are given five years in which to do that, Mr. President, and after that is finished the Tax Equalization Board is going to have a terrific job. They are having it right now, because certain counties have finished this work. In other words, they are placing a valuation on the actual value of the property and the county commissioners, by resolution, will set a percentage of the actual value as to the assessed valuation of the property.

Mr. President, Mr. O'Neil's department has a tremendous job to do. I say to you, Mr. President, that if the Secretary of Internal Affairs has all those business machines idle, they must have been idle for a long, long time, because they have been idle since 1947, as this department has been functioning since that time.

It seems to me, Mr. President, that we of the Democratic Party cannot be accused of being extravagant. I say to you that we are economy minded, but we feel it should be sensible economy. There is no use to tear down in the structure of government something which was deemed essential by the Members of the House and Senate in 1947. There is no use tearing down in order to get back at somebody.

Mr. President, I say that I am speaking here as a Democrat in defense of a Republican when I say to you that O'Neil is the victim here today. I ask my friends to not let malice take the better part of their judgment, and to vote "no" on this legislation because it is a ripper.

Mr. DENT. Mr. President, I want it clearly understood that this is caucus action. If you will notice, I am a co-sponsor of this bill, by request. I have now been requested to vote against it.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

REQUEST THAT BILL GO OVER IN ORDER

Mr. MAHANY. Mr. President, I certainly want to take this opportunity of congratulating the Democrats upon the way in which they can keep the Members of their Caucus in line by taking caucus action.

I have also been requested, Mr. President, if I may, to ask that this bill go over in its order at this time.

The PRESIDENT. Does the Chair infer that the Majority Floor Leader is making a motion or a request?

Mr. MAHANY. Mr. President, I will request that the bill go over.

Mr. HOLLAND. Mr. President, I object to the bill going over in its order.

The PRESIDENT. Objection has been raised to the bill going over in its order.

MOTION THAT BILL GO OVER IN ORDER

Mr. MAHANY. Mr. President, I move that the bill go over in its order.

Mr. HARE. I second the motion, Mr. President.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Holland, will state his point of order.

Mr. HOLLAND. Mr. President, there is nothing before the Senate except the continuation of the roll call. The gentlemen is out of order.

The PRESIDENT. The point of order raised by the gentleman from Allegheny, Senator Holland, is well taken. The only matter before the Senate is the calling of the roll. The Clerk will proceed.

VERIFICATION OF THE ROLL

Mr. LANE. Mr. President, I ask for a verification of the roll.

Mr. HOLLAND. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the name of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Blass,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Taylor,	Wood,
Harney,			

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,	Diehm,	Leader,	Ruth,
Barr,	Holland,	McCreesh,	Silvert,
Berger,	Kephart,	McCusker,	Stiefel,
Camiel,	Lane,	McGinnis,	Weiner,
Dent,			

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll with stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Blass,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Letzler,	Peelor,	Watkins,
Fleming,	Madigan,	Propert,	Watson,
Freed,	Mahany,	Snowden,	Wolfe,
Hare,	Mallery,	Taylor,	Wood,
Harney,			

NAYS—17

Bane,	Diehm,	Leader,	Ruth,
Barr,	Holland,	McCreesh,	Silvert,
Berger,	Kephart,	McCusker,	Stiefel,
Camiel,	Lane,	McGinnis,	Weiner,
Dent,			

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 552, on third reading, entitled:

An Act to further amend Section 4 of the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" by further regulating credit union organizations.

be recommitted to the Committee on Banking.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake in Crawford County.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title, by striking out "motor boats of more than ten horsepower" and inserting in lieu thereof: "boats having a developed horsepower rating in excess of ten"; Amend Sec. 1, page 1, lines 1 and 2, by striking out "No motor boat of more than ten horsepower O B C RATING" and inserting in lieu thereof: "No boat equipped with a motor having a developed horsepower rating in excess of ten".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 670, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1009, as follows:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 272 Payment of Costs in Certain Cases In case any fish warden or any other officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of the fine the [county in which the case is heard] Pennsylvania Fish Commission shall pay the costs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Bane,	Diehm,	Leader,	Propert,
Berger,	DiSilvestro,	Letzler,	Ruth,
Blass,	Harney,	Madigan,	Silvert,
Camiel,	Holland,	Mahany,	Snowden,
Chapman,	Kephart,	McCreesh,	Stiefel,
Crowe,	Kessler,	McGinnis,	Weiner,
Dent,	Lane,	Pechan,	

NAYS—15

Fleming,	Mallery,	Taylor,	Watson,
Freed,	McCusker,	Wade,	Wolfe,
Kopriver, Jr.	McPherson, Jr.	Walker,	Wood,
Hare,	Peelor,	Watkins,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1075, as follows:

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven

(P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1217 Liability for Costs Not Paid by Defendant Whenever any officer whose duty it is to enforce the laws of this State protecting game furbearing animals and protected birds shall in good faith bring suit for any violation of such laws and for any legal cause shall fail to recover the costs of record to which he is legally entitled such costs shall [be a charge upon the proper county and shall be audited and paid as are costs of like character in said county] be paid by the Pennsylvania Game Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Bane,	Dent,	Leader,	Propert,
Barr,	Diehm,	Letzler,	Ruth,
Berger,	DiSilvestro,	Madigan,	Silvert,
Blass,	Holland,	Mahany,	Snowden,
Camiel,	Kephart,	McCreesh,	Stiefel,
Chapman,	Kessler,	McGinnis,	Weiner,
Crowe,	Lane,	Pechan,	

NAYS—16

Fleming,	Kopriver, Jr.	Peelor,	Watkins,
Freed,	Mallery,	Taylor,	Watson,
Hare,	McCusker,	Wade,	Wolfe,
Harney,	McPherson, Jr.	Walker,	Wood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1079, as follows:

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 315 Revocation of Licenses Right to Hunt or Trap Denied

* * * * *

(6) Any person whose license has been revoked by the commission for any of the aforesaid offenses [pursuant to a hearing before a referee of the commission] shall have the right to file a petition within thirty (30) days after being notified of such revocation for a review of the matter in the court of common pleas of [Dauphin County which court is] the county of legal residence of the licensee in the case of resident and in the court of common pleas of Dauphin County in the case of a non-resident which courts are hereby vested with jurisdiction and whose duty it shall be to set the matter down for hearing upon thirty (30) days written notice to the director and to determine whether the petitioner is subject to revocation of license The commission when such appeal is taken shall file with the prothonotary a certified record of the complete proceedings in the matter including a certified excerpt of the resolution of the commission The matter shall be heard de novo by a judge or judges of the court without a jury [and the proceedings before the commission and its referee conducting the investigation shall be given similar weight force and effect as are accorded to the findings and reports of a referee selected or appointed under the provisions of the act approved the fourteenth day of May one thousand eight hundred and seventy-four entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" and its supplements]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,
Haluska			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 31, entitled:

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including corn shellers in the definition of "Farm Tractor" and in the classification of tractors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 38, Printer's No. 199, and
House Bill No. 42, Printer's No. 278.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish ponds licenses and the terms of such licenses and prescribing penalties.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARNEY offered the following amendments:

Amend Sec. 1 (Sec. 56), page 2, lines 12 to 19, by striking out all of said lines; Amend Sec. 1 (Sec. 56), page 3, lines 1 to 7, by striking out all of said lines; Amend Sec. 1 (Sec. 57), page 3, lines 8 to 19, by striking out all of said lines; Amend Sec. 1 (Sec. 58), page 4, lines 1 to 6, by striking out all of said lines and inserting in lieu thereof: "Section 56. Farm Fish Ponds.—Every artificial farm fish pond, not exceeding two acres in surface area inhabited by catfish, sunfish or bass and holding water, the source of which is wholly within the limits of such farm or from waters in which there are no game fish and which ponds are used for propagating and harvesting of such fish for the personal use of the owner or lessee of the farm and persons residing or regularly employed upon the farm shall be exempt from all provisions of the Fish Law."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HARNEY offered the following amendment:

Amend Title, page 1, last three lines of Title, by striking out "providing" in the third from last line of Title, and all of the last two lines and inserting in lieu thereof: "exempting farm fish ponds and certain species of fish contained therein from the provisions of the Fish Law."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HARNEY. Mr. President, I ask unanimous consent that Senate Bill No. 96, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Boards," by making certain changes in the grievance procedure provided for in the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 236, Printer's No. 223, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I understand that Senator Pechan is going to present amendments today to Senate Bill No. 290, so that will obviate the necessity for Senate Bill No. 289.

Therefore, Mr. President, I move that Senate Bill No. 289, on second reading, entitled:

An Act to further amend Section 202, to add Section 418.1 and to further amend Section 1310 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act aproviding for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or auhorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Practical Nurse Examiners as a departmental administrative board in the Department of Public Instruction.

be recommitted to the Committee on Education.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 290, entitled:

An Act providing for and regulating the licensing and practice of practical nursing and imposing penalties.

The first section was read and agreed to.

The second section was read,

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Section 2, page 2, line 5, by deleting the word "Practical."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections were read and agreed to.

The fifth section was read,

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Section 5, page 5, line 6, by deleting the word "Practical."

It was agreed to.

The section was agreed to as amended.

The sixth section was read,

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Section 6, subsection 2, page 5, line 19, after the word "two" insert the word "licensed."

It was agreed to.

The section was agreed to as amended.

The seventh and eighth sections were read and agreed to.

The ninth section was read,

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Section 9, page 7, line 10, by deleting the word "practical."

It was agreed to.

The section was agreed to as amended.

The tenth, eleventh, twelfth and thirteenth sections were read and agreed to.

The fourteenth section was read,

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Section 14, page 9, line 5, by deleting the word "L P" and in lieu thereof inserting the word "L P N."

It was agreed to.

The section was agreed to as amended.

The fifteenth, sixteenth, seventeenth and eighteenth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 290, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 343, Printer's No. 128, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 352, entitled:

An Act to further amend the act approved the second day of June thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating hereto" by further regulating the confinement of juveniles under eighteen years of age.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 354, entitled:

An Act to further amend the act approved the seventeenth day of April, one thousand eight hundred seventy-six (P. L. 29), entitled "An act relating to appeals in cases of summary convictions," by extending the time within which appeals may be taken.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 402, Printer's No. 197,

Senate Bill No. 450, Printer's No. 178,

Senate Bill No. 451, Printer's No. 179, and

Senate Bill No. 452, Printer's No. 180.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 462, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 470, Printer's No. 245,

Senate Bill No. 497, Printer's No. 238,

Senate Bill No. 523, Printer's No. 232, and

Senate Bill No. 525, Printer's No. 243.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 550, entitled:

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds, and the effect thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 572, entitled:

An Act to further amend Section 18 of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for filing summaries of audits, and for annulling, vacating or forfeiture of articles of association or associations failing to file such summaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act to further amend Section 17 of the act, approved the thirtieth day of April, one thousand nine hundred twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for filing summaries of audits; and for annulling, vacating or forfeiture of articles of association failing to file such summaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 581, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 593, entitled:

An Act to establish a separate orphan's court in and for the County of Chester.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 596, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and extending, revising and consolidating the law relating thereto," by extending the powers of cities relating to certain tunnels, bridges and viaducts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 597, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and payment of such pensions," by extending the benefits to certain authorities created by such cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 796, entitled:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1077, entitled:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1078, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1100, Printer's No. 197, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

M. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, over the years since the Turnpike has been opened, we have heard and read a great deal about the many tragedies that have occurred upon that highway. I must confess that I have been riding it since the first week that it was officially opened. Up until this morning, I have been fortunate, indeed, that I have never had to witness any of these tragedies.

Mr. President, this morning, when I first got on the Turnpike, it must have been about six o'clock. I was not on the Turnpike very long when a light-colored Dodge, with an Ohio license plate on it, driven by an elderly lady, drove past me at a pretty fast rate of speed. I commented to my companion, who was Representative Petrosky, that the lady was taking chances. He made the usual remark about Ohio drivers, and we forgot the insident. About twenty minutes or so later when we passed this same car, it was sitting along the side of the road. We naturally passed a remark about it, and commented that perhaps the lady had beome tired and was resting a bit. About a half hour later, I was traveling at a speed in excess of the speed limit. and this car passed me again.

I am sorry to say, Mr. President and Members of the Senate, that about fifteen minutes later as I turned a curve, the car was splattered all over the road. We were the first on the scene; it had happened about two minutes before because the dust had not settled yet, and the driver was out in the middle of the opposite lane of traffic. She was bleeding and her clothes were all torn; her shoes were about fifteen feet away frol her; and her car was completely demolished.

Mr. President, for many years we have heard a great deal of talk about the speed, not only on the Turnpike but on all of our public highways. It reminds us of the remark of Mark Twain when he said that "Weather was something that everyone talked about, but no one did anything about.

Mr. President, I, like the rest of the normal persons in Pennsylvania, like to drive a fast car, a big, powerful automobile. However, sooner or later we must come to the realization that we cannot keep it up. I am convinced that the automobile manufacturers of America have exseeded the needs of the traveling public in providing power plants for the vehicles that we use in modern transportation.

I am convinced, Mr. President, that we cannot stop speeding by putting up signs or by putting patrols on the highways. We must attack the problem at the source. Today, more than ever in my life, I believe that we must pass legislation in the General Assembly of Pennsylvania to prohibit the sale of automobiles in this Commonwealth with a rate of horsepower that will allow them to exceed the speed limit, beyond a reasonable percentage over and above the legal speed limit of the Commonwealth.

Mr. President, I want to say, in all seriousness, that most of the citizens try to obey the law. I know that I try to obey the law. However, when you get an automobile under you that has 205 horsepower, with an unlimited capacity for speed, there is not anything any normal person can do except exceed the speed limit. He gets a broad highway in front of him, or a slower moving vehicle, and his first impulse is to pull away from that vehicle and pass it, or to open it up and let it roll along the highway.

Mr. President, none of us fully realize how dangerous a projectile we are driving at that excessive speed; how for one-tenth of a second your eyes can wander away from the pathway in front of you and to the side of the road on either side, your hands become limber on the wheel, your wheels go out of control and your car has turned over. Not only do you endanger yourself, but you may cost the lives of innocent persons.

Mr. President, this woman hit the outside guard rail on the lane of traffic that she was using. She flashed across the medial strip on the highway, and turned over at least two or possibly three times. There was not an inch of glass left in that car. When we arrived on the scene, her pocketbook was about twenty feet away from the car. A few dollar bills, some stamps and some little note paper were scattered all over the place. As I said, her shoes were at least fifteen feet from her body. The key in her automobile was still turned on, and gasoline was leaking all over the highway. If there had been another car coming in the opposite direction, by the grace of God, at that moment it would have been at the point of contact, and the tragedy would have been much worse and innocent persons would have been killed.

Mr. President, I may become a laughingstock to those who think that we ought to have unlimited power in the automobiles of today. However, I intend to introduce into this Senate tomorrow, if the bill is prepared in time, a bill prohibiting the sale of automobiles in the Commonwealth of Pennsylvania that have a rate of horsepower that will allow them to travel at a greater speed than ten miles per hour more than the speed limit allowed by law. If they have a horsepower greater than that amount, then they shall have upon them a mechanical device or governor which will control the speed to that limit. If we cannot trust ourselves to keep within the controls of decent driving and safe driving, then legislation will have to do it for us

Mr. President, we are a group of men charged with the responsibility of the health and welfare of the Commonwealth of Pennsylvania and, yet, we allow every day in this Commonwealth, and perhaps in the entire Nation, more children and more men and women to be killed and maimed and made helpless for life than could ever be killed or maimed by the explosion of an atomic bomb. I want to say that I, for one, believe the time has come when legislative action will have to do for the automobile makers what they have not had sense enough to do for themselves.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I am wondering now, after Senator Dent witnessed that calamity this morning and now feels that he should put a bill in which will hold down the speed of vehicles, whether he will promise not to exceed the speed limit until his bill becomes enacted into law.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I can answer that. I never knowingly exceed the speed limit.

The PRESIDENT. The Chair would like, at this juncture, to remind the two distinguished Senators of the bill that was passed some years ago in the House, prohibiting motor trucks from using the highways of the Commonwealth between sundown an Saturday and sunrise on Monday.

After introducing this bill over a period of Sessions, finally it came out in amended form and the sponsor neglected to examine the bill as to its content after it was amended. The bill was passed, and signed by the Governor and the first Sunday after the effective date, the sponsor rushed into the Bethlehem Barracks, pleading for assistance from the State Police to enforce the law, and he learned for the first time that the bill did prohibit trucks from using the highway between sundown on Saturday and sunrise on Monday, except those that were empty or loaded.

Mr. DENT. Mr. President, I can vouch for the veracity of that story because I amended the bill.

RECESS

Mr. MAHANY. Mr. President, we are waiting for a bill to come over from the House relative to a stopgap appropriation. It is necessary that we consider this bill today or it will be necessary that we remain in Session on Thursday.

Therefore, Mr. President, I move that the Senate do now take a recess for fifteen minutes, awaiting a communication from the House.

Mr. HARE. I second the motion, Mr. President.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House, as follows:

House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-three, and such time as the funds provided by the General Appropriation Act and other appropriation acts become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three.

Which was committed to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 624, entitled:

An Act to amend the Act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) entitled, "An Act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights: providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions. contracts or documents; and to mak uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

Which was committed to the Committee on Judiciary General.

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The President. Is there objection? The Chair hears none.

Mr. WEINER read in place and presented to the Chair Senate Bill No. 625, entitled:

An Act providing for the creation of districts for parks, playgrounds and swimming pools in counties of the fifth class; providing for the election of officers; prescribing their powers and duties including the power to levy taxes and appropriate money.

Which was committed to the Committee on Local Government.

Mr. BERGER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER read in place and presented to the Chair Senate Bill No. 626, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," as last amended by the act approved the ninth day of June, one thousand nine hundred thirty-nine (P. L. 274), by adding a new paragraph (g) to authorize the investment of such funds in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

Which was committed to the Committee on State Government.

RECESS

Mr. MAHANY. Mr. President, on behalf of Senator Chapman, I move that the Senate do now take a recess for five minutes, for the purpose of holding a meeting of the Appropriations Committee.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Appropriations, reported as committed House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-three, and such time as the funds provided by the General Appropriation Act and other appropriation acts become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State

officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senat do now adjourn until Tuesday, May 26, 1953, at 1:0 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:20 o'clock p. m., Easter Standard Time, until Tuesday, May 26, 1953, at 1:0 o'clock p m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 25, 1953.

The House met at 3:30 p. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Reverend Dr. Dwight R. Guthrie, guest Chaplain, the Samuel P. Harbison Professor of Bible, Grove City College, Grove City, Pa., brother of the gentleman from Armstrong, Mr. Guthrie, offered the following prayer:

Our Father, Who art in Heaven, we thank Thee for Thy goodness toward each of us. In this week which will call to our minds the sacrifices of those who gave the last full measure of strength and devotion to their country, do Thou help us as Representatives and citizens of this Commonwealth to rededicate our lives to the causes of freedom and brotherhood. Grant, that what we think and say in these Halls, and under the great dome of Thy Kingdom, may be, now and always, to Thy praise; through Jesus Christ, Thy Son, our Yord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Wednesday and Thursday, May 20 and 21, 1953? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Mr. McCORMACK. HOUSE BILL No. 1358.

An Act to amend the first paragraph of Section 8 of the act, approved the sixth day of May, one thousand nine hundred twenty-nine (P. L. 1551), entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances; regulating and restricting the height, location, size, bulk and use of buildings and/or land, the areas to be occupied by buildings in proportion to the size of the lots upon which they stand, the size of courts, yards and other open spaces appurtenant thereto, and the density of population, and for these purposes to establish districts and boundaries; to designate and regulate residential, commercial and industrial or other uses within such districts and boundaries; and providing for the appointment of a zoning commission and a board of adjustment, the creation of a bureau of zoning, and setting forth the duties and functions of said commission, board and bureau; providing for the administration and enforcement of rules and ordinances authorized by this act, and penalties for violations thereof," by prohibiting compensation for members of the board of adjustment.

Referred to the Committee on Cities-Counties—First-Second and Second Class A.

By Mr. HALL. HOUSE BILL No. 1359.

An Act to add clause (i) to section one thousand eight hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administative offices, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the duties and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 1360.

An Act relating to bowling on Sunday in first and second class cities; prohibiting bowling on Sunday unless the electors of the city are in favor of the same and a license has first been secured from the city; providing for referendums to ascertain the will of the electors, and for the enactment and repeal of licensing ordinances in accordance therewith; providing penalties and repealing inconsistent laws.

Referred to the Committee on Law and Order.

By Mr. FROST. HOUSE BILL No. 1361.

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State emploes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the term "State employe"

Referred to the Committee on State Government.

By Mr. FROST. HOUSE BILL No. 1362.

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employe's retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for officers and employes of the Pennsylvania State College to withdraw from the retirement system and receive reimbursement for moneys paid in.

Referred to the Committee on State Government.

By Mr. ZIEGLER. HOUSE BILL No. 1363.

An Act to amend sections one and three of the act, approved the twenty-fifth day of May, one thousand nine hundred fifty-one (P. L. 415), entitled "An act relating to habeas corpus; conferring jurisdiction upon the judges of the courts of common pleas; prescribing venue; defining procedure in all cases; authorizing service to be made upon persons anywhere in the Commonwealth; providing for the imposition of costs allowing appeals; specifying the appellate court to which appeals may be taken; and repealing inconsistent legislation, including that conferring jurisdiction on courts of quarter sessions," by limiting jurisdiction over juveniles in certain cases.

Referred to the Committee on Judiciary.

B Mr. SHOTWELL. HOUSE BILL No. 1364.

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by requiring non-resident trout fisherman to purchase a trout stamp; imposing duties upon the fish Commission, and providing penalties.

Referred to the Committee on Fisheries.

By Mr. SHOTWELL. HOUSE BILL No. 1365.

An Act fixing the liability for payment of per capita and occupation taxes hereafter levied by political subdivisions.

Referred to the Committee on Municipal Corporations.

By Mr. SHOTWELL. HOUSE BILL No. 1366.

An Act to amend Section 1 of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-three (P. L. 112), entitled "An act fixing the compensation of jury commissioners in counties of the seventh class," by providing for the payment of mileage to jury commissioners and their clerk.

Referred to the Committee on Counties.

By Mr. GRAMLICH. HOUSE BILL No. 1367.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by permitting hunting with cross bows and arrows.

Referred to the Committee on Game and Forestry.

By Mr. GRAMLICH. HOUSE BILL No. 1368.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1133) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections," by changing provisions relating to voting by persons in actual military service when present in their districts of residence in which ballots are used.

Referred to the Committee on Elections and Apportionment.

By Messrs. BRETH and JOHN J. MURRAY. HOUSE BILL No. 1369.

An Act to further amend Section 3 of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in capticity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by authorizing justices of the peace and aldermen to collect dog license fees.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. BOORY. HOUSE BILL No. 1370.

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," authorizing the Governor, on behalf of the Commonwealth of Pennsylvania to enter into a supplemental compact or agreement with the State of New Jersey under which tolls on passenger cars would not exceed twenty cents each.

Referred to the Committee on State Government.

By Mr. HERSCH, Mrs. COYLE and Mrs. VARALLO. HOUSE BILL No. 1371.

A Joint Resolution proposing an amendment to article two, section four of the Constitution of Commonwealth of Pennsylvania providing that sessions of the General Assembly shall not exceed ninety days.

Referred to the Committee on State Government.

By Mr. MULDOWNEY. HOUSE BILL No. 1372.

An Act regulating charges for limited service by telephone companies; and requiring the installation of instruments or devices to register calls.

Referred to the Committee on Public Utilities.

By Mr. STIMMEL HOUSE BILL No. 1373.

An Act to amend Article X of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by fixing the annual salaries and increments of certain members of the professional staff of the Department of Public Instruction conferring certain powers and imposing certain duties upon the State Council of Education with respect to salaries and qualifications of certain members of such staff and repealing inconsistent acts.

Referred to the Committee on Education.

By Messrs. SCOTT and FERSTER. HOUSE BILL No. 1374.

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for increases in the compensation of professional and temporary professional employes.

Referred to the Committee on Education.

By Messrs. SCOTT and FERSTER

HOUSE BILL No. 1375.

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further providing for reimbursement by the Commonwealth to school districts and vocational school districts.

Referred to the Committee on Education.

By Mr. JOHNSON. HOUSE BILL No. 1376.

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold, transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. KENT. HOUSE BILL No. 1377.

An Act imposing a tax on the income of unincorporated businesses, trades, occupations and professions; providing for the assessment, collection and lien of said tax; providing for the administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, officers and departments; and imposing penalties.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENANTE BILL No. 582.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. TOMPKINS and TOLL.

RESOLUTION No. 58.

In the House of Representatives, May 24, 1953.

Whereas, Some Resolutions introduced in the House of Representatives are printed and some are not printed, but appear at length in the House history; and

Whereas, The separate printing of all Resolutions would be a waste of public funds; therefore be it

Resolved, That after the adoption of this Resolution, all Resolutions, which are introduced in the House of Representatives shall be printed separately, if, in the opinion of the Speaker, the same is of general public interest.

Referred to the Committee on Rules.

RESOLUTION

DELAWARE—HOUSE JOINT RESOLUTION No. 5

The SPEAKER laid before the House, House Joint Resolution No. 5 of the State of Delaware memorializing the Congress of the United States to enact legislation providing for the withdrawal of Federal Government from the field of gasoline taxes.

Feferred to the Committee on Rules.

RESOLUTION

PHILADELPHIA CITY COUNCIL—URGING PASSAGE OF SENATE BILL 561

The SPEAKER laid before the House a resolution from Philadelphia City Council Memorializing the General Assembly of the Commonwealth of Pennsylvania to enact into law Senate Bill No. 561.

Referred to the Committee on Judiciary.

SPECIAL ORDER—HOUSE BILL 1334

Mr. WOOD. Mr. Speaker, I move that House Bill 1334, Printer's No. 267 on page 23 of today's calendar, bills on third reading, be made a special order of business immediately.

The motion was agreed to.

SPECIAL ORDER

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1334 as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of sixty million dollars ($60,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as moneys appropriated by the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-three may become available for such purposes and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payments are ordinarily made

Section 3 All amounts paid by the State Treasurer in

accordance with this act shall be charged against the appropriations made for the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-three

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Harris,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Varallo,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Frost,	Mahan,	Sarraf,	Smith, C. C., Speaker
Geer,			

NAYS—0

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STUDENTS OF WASHINGTONVILLE DeLONG SCHOOL WELCOMED

The SPEAKER. The Chair is happy to present to the Members students of the Washingtonville Delong School, Washingtonville, Montour County, members of the seventh and eighth grades, accompanied by their Principal, Mr. David Faust. They are guests of the gentleman from Montour, Mr. Whitenight.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 258 and 528.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WILLIAM B. SMITH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 817.

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring personso selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licenses and providing penalties" by extending the provisions of the additional tax for a limited time.

HOUSE BILL No. 818.

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time.

HOUSE BILL No. 819.

An Act to further amend section seventeen of the act,)proved the twenty-first day of May, one thousand nine ındred thirty-one (P. L. 149), entitled, as amended, "An t imposing a State tax, payable by those herein defined distributors, on liquid fuels used or sold and delivered ithin the Commonwealth, which are practically, and)mmercially suitable for use in internal combustion ıgines for the generation of power; providing for the)llection and lien of the tax, and the distribution and se of the proceeds thereof; requiring such distributors secure permits, to file corporate surety bonds and re-)rts, and to retain certain records; imposing duties on etail dealers, common carriers, county commissioners, ıd such distributors; providing for rewards imposing ertain costs on counties; conferring powers and impos-ıg duties on certain State officers and departments; pro-iding for refunds; imposing penalties; and making an ppropriation," by extending for an additional period the ght to partial reimbursement of taxes paid on liquid ıels consumed in the operation of certain tractors and ıachinery for agricultural purposes.

With the information that the Senate has passed the ame without amendment.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consid-eration of House Bill No. 464, entitled:

An Act to amend Section 602.1 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; desig-nating the subjects, property and persons subject to and exempt from taxation for county, borough, town, town-ship, school, except in cities and county institution dis-trict purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; im-posing duties on taxables making improvements on land and grantees of land; prescribing penalties; and elimin-ating the triennial assessment," by regulating the tax rates when assessed valuations of real estate are increased.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consid-eration of House Bill No. 910, entitled:

An Act requiring owners of cattle and goats to have their herds tested for Bovine Brucellosis by the Department of Agriculture; providing for disposition of and compensation for diseased animals; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1017, entitled:

An Act to further amend Section 7 of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by further providing for serving of notice of sale when notice cannot be served by mail.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1181, entitled:

An Act to further amend Section 611 of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the secretary of a county association of township supervisors to be elected as a delegate to the State Association Meeting.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bil No. 1187, entitled:

An Act to amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title, bulk sales and security interests.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by providing for the transportation, sale and delivery of manure.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the compensation of auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1299, entitled:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys, the use, benefit, enjoyment or control of which would not be available to certain nonresident beneficiaries entitled thereto; and providing remedies to such beneficiaries under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1301, entitled:

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 215), entitled "An act providing for the creation and incorporation as municipal corporations, and for the management and operation, of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth, and its agencies through the construction of water-works and facilities, and/or the acquisition of the property, water-works, rights and francises of public and private corporations, copartnerships, associations, and individuals furnishing and supplying water to the public in said districts; prescribing the powers and duties of such districts, and the officers thereof; conferring jurisdiction on courts of common pleas in connection therewith; and imposing certain costs and charges preliminary on counties," by further regulating the appointment or election of the governing board and officers of water supply districts; conferring powers and imposing duties upon the legislative bodies of political subdivisions; providing for water supply district representatives; defining their powers and duties and clarifying provisions relating to costs and charges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 171, entitled:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 203, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 213, entitled:

An Act to further amend Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaded or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," extending the scope of local option to include granting of importing distributors' licenses.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. VanSANT and PETROSKY offered the following amendments.

Amend Sec. 1, page 2, line 1, by striking out "472" and inserting in lieu thereof: "468."

Amend Sec. 1, page 3, line 6, by inserting after "laws" the following:

"is hereby amended to read as follows:

"Section 468. Licenses Not Assignable Transfers.—(a) Licenses issued under this article may not be assigned. The board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it under the provisions of this article from one person to another or from one place to another or both within the same municipality as the board may determine: Provided, however, That in the event that the majority of the voting electors of a municipality at an election held under the provisions of any law so empowering them to do shall vote against the issuance of distributor or importing distributor licenses in such municipality the board is hereby authorized to transfer any such distributor or importing distributor license from its place in such municipality to a place in any other municipality within the same county upon application prior to the expiration of any such license and upon payment of the transfer filing fee and the execution of a new bond but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked. Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfers of licenses may be made only at times fixed by the board. In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by him. From any refusal to grant a

transfer or upon the grant of any transfer the party aggrieved shall have the right of appeal to the proper court and therefrom to the Superior Court in the manner hereinbefore provided.

"Section 2 Section 472 of said act"

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Messrs. VanSANT and PETROSKY offered the following amendments:

Amend Title, page 1, line 1 of title, by striking out "Section 472 of."

Amend Title, page 2 last line of title, by inserting after "licenses" the following:

"permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 704) entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof to the flooding and use by holders of limited power permits of islands owned by the Commonwealth to the unlawful use for water or stream power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits and to proceedings for the enforcement of this act" by suspending and postponing for a certain period provisions relating to steam power dams within the jurisdiction of the United States.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 207, Printer's No. 65,

was passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 500, as follows:

An Act to amend the proviso of Section 3 of the Act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date of the proviso

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The proviso of Section 3 of the Act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" is hereby amended to read as follows

Section 3

* * * * *

Providing that any [Any] person having the qualifications prescribed by subsection (b) of this section registered as a student apprentice under the provisions of existing law or enrolled as a student in a school of embalming prior to the [effective date of this act] first day of April one thousand nine hundred fifty-three or the effective date of this amendment whichever is later and who has continuously thereafter served as a student apprentice or continued his studies in a school of embalming or either shall be entitled to take the examination for license to practice as a funeral director after he has had practical experience in the business or profession of funeral directing for two years continuously as a resident trainee and has completely embalmed at least twenty-five (25) bodies

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Carbon permit himself to be interrogated?

Mr. SCOTT. I shall, Mr. Speaker.

Mr. MORAN. Mr. Speaker, would the gentleman please explain this bill? It has been amended, is that right?

Mr. SCOTT. Mr. Speaker, it has.

Mr. MORAN. Mr. Speaker, with the amendments what is the purpose of the bill at the present time and what does it do?

Mr. SCOTT. Mr. Speaker, in reply to the gentleman I would point out to him that there are two purposes to House Bill 500 at the present time.

The first purpose is to take care of an inequity which occurred when the 1951 session of the Legislature passed what was known as the "Funeral Directors Law." When the Funeral Directors Law was enacted it made stricter the educational requirements concerning students who wanted to go to funeral directing schools. It made the educational requirements stricter in this regard; it says that prior to September 1, 1953 anyone who registered would be required to have embalming school of 900 to 2400 hours and two years as a resident trainee. Then it said that between September 1, 1953 and August 31,

1955, in addition to those requirements a student would also have to have one year of college or university. After August 31, 1955 there would have to be two years of college or university, in addition to the embalming school and six months as a resident trainee.

What happened, Mr. Speaker, when this bill was passed in the dying days of the 1951 session, it did not become law—it did not become law by the Governor's signature until January 14, 1952. After the bill was enacted into law, it was the feeling of everyone concerned, including the Funeral Directors Board that what was meant by the date that these educational qualifications were required was the date of entrance into the embalming school or the date of registration as an apprentice.

In the Fall of 1952 the Board of Funeral Directors of the Commonwealth of Pennsylvania changed that interpretation and said no, the educational qualifications were required as of the date that the young man would take the examination. There was a group of men, 73 to be exact, who between January 14th, 1952 and the Fall of 1952 who at the time the Board made this interpretation went to embalming schools and they were under the impression that when they graduated from embalming school they would be allowed to take the examination. Then the Board came along and said that at the date of application, it meant that those men after they graduated from embalming school would have to go back and take a year of college. One of the reasons for this bill is to do away with the inequity.

Mr. MORAN. Mr. Speaker, may I ask the gentleman, is this bill endorsed by the Funeral Directors Association with these amendments?

Mr. SCOTT. With the permission of the Speaker I would like to read into the record a telegram I received, which will be a direct answer to the question put by the gentleman.

Honorable William Z. Scott, House of Representatives, Harrisburg, Pennsylvania. The Legislative Committee of the Pennsylvania Funeral Directors Association favors House Bill No. 500, as amended.

(S) Secretary of the Association.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Mathews,	Schuster,
Alexander,	Gleason,	Maxwell,	Schwartz,
Amarando,	Glick,	McCann,	Scott,
Andrews,	Goodling,	McCormack,	Seyler,
Ashton,	Gramlich,	McCullough,	Shoemaker,
Auker,	Greenwood,	McDermit,	Shotwell,
Banker,	Guss,	McGee,	Smith, W. B.,
Barkdoll,	Gutendorf,	McInroy,	Snider,
Baumunk,	Guthrie,	McWherter,	Spencer,
Bazin,	Hall,	Metz,	Stank,
Bear,	Hamilton, R. K.,	Mihm,	Stevenson,
Blair,	Hamilton, W. H.,	Mikula,	Stimmel,
Boies,	Harris,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Bomberger,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hocker,	Moore,	Taylor,
Breisch,	Hoggard,	Moran,	Thomas,
Breth,	Ide,	Moscrip,	Thompson,
Brown,	Jenkins,	Muldowney,	Toll,
Bucchin,	Jim,	Munley,	Tompkins,
Buchanan,	Johnson,	Murray, J. J.,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Capano,	Jones, Gran'le E.	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Cooper,	Kohl,	Petrosky,	Waterhouse,
Coyle,	Kolankiewicz,	Pettigrew,	Weidner,
Curwood,	Kornick,	Pfaff,	Welsh,
Davis,	Kratz,	Phillips,	Wescott,
Dougherty,	Kromer,	Polaski,	Whalley,
Down,	Kubacki,	Polen,	Wheeler,
Downey,	Lafore,	Poltenstein,	White,
DuBois,	Lederer,	Price,	Whitenight,
Dunn,	Leisey,	Quisenberry,	Willaredt,
Erb,	Leonard,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Wilt,
Farabaugh,	Light,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Worley,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lopresti,	Rosen,	Yetzer,
Flack,	Lovett,	Rovansek,	Young,
Fleischman,	Lutty,	Royer,	Zeitz,
Floyd,	Maguire,	Rubin,	Ziegler,
Flynn,	Mahan,	Sarraf,	Smith, C. C., Speaker
Frost,	Markley,	Schmidt,	
Geer,			

NAYS—1

Haudenshield,

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 91, Printer's No. 175,

was passed over at the request of Mr. BOLTON.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 555, entitled:

An Act to add Section 650.1 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting publications devoted to fictional deeds of crimes bloodshed lust or immorality which tend to incite minors

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. THOMAS H. W. JONES. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 562, Printer's No. 231,
House Bill No. 574, Printer's No. 221,
House Bill No. 623, Printer's No. 232,
House Bill No. 643, Printer's No. 235,
House Bill No. 649, Printer's No. 236 and
House Bill No. 651, Printer's No. 204,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652, as folows:

An Act to further amend Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1621) is hereby further amended to read as follows

Section 1104 Appointments Incompatible Offices Unless there is incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board commission bureau or other agency created by or for the borough or any borough office created or authorized by statute and may accept appointments thereunder but no burgess or councilman shall receive compensation therefor Where there is no incompatibility in fact and subject to the foregoing provisions as to compensation appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities may hold two or more appointive borough offices but no burgess or member of council may serve as borough manager or as secretary or treasurer [and the] The offices of secretary and treasurer shall not be held by the same person except in boroughs having less than two thousand five hundred inhabitants when so authorized by ordinance Nothing herein contained shall affect the eligibilty of any borough official to hold any other public office or receive compensation therefor In all cases in which it is provided that an appointment is to be made by the burgess and council such appointment shall hereafter be made by the burgess with the approval of a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute All appointments to be made by the council or the corporate authorities shall be made by a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Geer,	Maxwell,	Schwartz,
Alexander,	Gibson,	McCann,	Scott,
Amarando,	Gleason,	McCormack,	Seyler,
Andrews,	Glick,	McCullough,	Shoemaker,
Ashton,	Goodling,	McDermit,	Shotwell,
Auker,	Gramlich,	McGee,	Smith, W. B.,
Banker,	Greenwood,	McInroy,	Snider,
Barkdoll,	Gutendorf,	McWherter,	Spencer,
Baumunk,	Guthrie,	Metz,	Stank,
Bazin,	Hall,	Mihm,	Stevenson,
Bear,	Hamilton, W. H.,	Mikula,	Stimmel,
Blair,	Harris,	Miller,	Stone,
Boles,	Haudenshield,	Mills,	Stoner,
Bolton,	Helm,	Monroe,	Strausser,
Bomberger,	Hersch,	Moody,	Sucher,
Boory,	Hewitt,	Moore,	Taylor,
Bower,	Hocker,	Moran,	Thomas,
Breisch,	Hoggard,	Moscrip,	Thompson,
Breth,	Ide,	Muldowney,	Toll,
Brown,	Jenkins,	Munley,	Tompkins,
Bucchin,	Jim,	Murray, J. J.,	Toomey,
Buchanan,	Johnson,	Murray, P. G.,	VanSant,
Bullen,	Jones, Geo. E.,	Musto,	Varallo,
Capano,	Jones, Gran'le E.	Naugle,	Varner,
Cioffi,	Jones, Paul F.,	Needham,	Vaughan,
Clapper,	Jones, T. H. W.,	Ogilvie,	Verona,
Cochran,	Jump,	Olsen,	Wall,
Comer,	Kamyk,	Parlante,	Wallace,
Connelly,	Keller,	Peifly,	Walsh
Conner,	Kent,	Peta,	Wargo,
Cooper,	Kerlin,	Petrosky,	Waterhouse,
Coyle,	Kohl,	Pettigrew,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Ewing,	Leven,	Readinger,	Wilt,
Farabaugh,	Light,	Reagan,	Wood,
Fenrich,	Limper,	Reidenbach,	Worley,
Ferster,	Lippincott,	Richter,	Yeakel,
Filo,	Lovett,	Rosen,	Yetzer,
Flack,	Lutty,	Royer,	Young,
Fleischman,	Maguire,	Rubin,	Zeitz,
Floyd,	Mahan,	Sarraf,	Ziegler,
Flynn,	Markley,	Schmidt,	Smith, C. C., Speaker
Frost,	Mathews,	Schuster,	

NAYS—7

Cianfrani,	Hamilton, R. K.,	Lopresti,	Rovansek,
Guss,	Leonard,		

NOT VOTING—2

Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 664, Printer's No. 181,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 732, as follows:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Aeronautics Commission is hereby authorized to expend State funds for the purchase of civil air patrol aviation education training aids books and equipment to defray maintenance and hangar rents of "on-loan" United States Air Force aircraft to purchase maintenance supplies and equipment for the communications network for the civil air patrol.

Section 2 No expenditures of State funds for such purposes shall be made unless a purchase order is first approved by the Pennsylvania Aeronautics Commission Said funds to be under jurisdiction and control of the commission

Section 3 For the purposes of this act no expenditure of State funds shall be authorized by the Pennsylvania Aeronautics Commission unless the purchase is specifically for Civil air patrol aviation education training aids books and equipment to defray maintenance and hangar rent of "on-loan" United States Air Force aircraft of 190 horsepower or less maintenance supplies and equipment for civil

air patrol communications network and such administrative costs as may be approved by the commission.

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adam,	Gibson,	Mahan,	Sarraf,
Alexander,	Gleason,	Markley,	Schmidt,
Amarando,	Glick,	Mathews,	Schuster,
Andrews,	Goodling,	Maxwell,	Schwartz,
Ashton,	Gramlich,	McCann,	Scott,
Banker,	Greenwood,	McCormack,	Seyler,
Barkdoll,	Guss,	McCullough,	Shoemaker,
Baumunk,	Gutendorf,	McDermit,	Shotwell,
Bazin,	Gutendorf,	McGee,	Smith, C. C.,
Bear,	Hall,	McInroy,	Smith, W. B.,
Blair,	Hamilton, R. K.,	McWherter,	Snider,
Boies,	Hamilton, W. H.,	Metz,	Spencer,
Bolton,	Harris,	Mihm,	Stank,
Bomberger,	Haudenshield,	Mikula,	Stevenson,
Boory,	Helm,	Miller,	Stimmel,
Bower,	Hersch,	Mills,	Stone,
Breisch,	Hewitt,	Monroe,	Stoner,
Breth,	Hoggard,	Moore,	Strausser,
Brown,	Ide,	Moran,	Sucher.
Bucchin,	Jenkins,	Muldowney,	Taylor,
Buchanan,	Jim,	Munley,	Thomas,
Bullen,	Johnson,	Murray, J. J.,	Thompson,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	Toll,
Cianfrani,	Jones, Paul F.,	Musto,	VanSant,
Cioffi,	Jones, T. H. W.,	Naugle,	Varallo,
Clapper,	Jump,	Needham,	Varner,
Cochran,	Kamyk,	Ogilvie,	Vaughan,
Comer,	Keller,	Olsen,	Verona,
Connelly,	Kent,	Parlante,	Wall,
Conner,	Kerlin,	Peifly,	Wallace,
Cooper,	Kohl,	Peta,	Walsh,
Coyle,	Kolankiewicz,	Petrosky,	Wargo,
Curwood,	Kornick,	Pettigrew,	Waterhouse,
Dougherty,	Kratz,	Pfaff,	Weidner,
Down,	Kromer,	Phillips,	Welsh,
Downey,	Kubacki,	Polaski,	Wescott,
DuBois,	Lafore,	Polen,	Whalley,
Dunn,	Lederer,	Poltenstein,	Wheeler,
Erb,	Leisey,	Price,	White,
Ewing,	Leonard,	Quisenberry,	Whitenight,
Farabaugh,	Leven,	Ragot,	Willaredt,
Fenrich,	Light,	Readinger,	Williams,
Ferster,	Limper,	Reagan,	Wilt,
Filo,	Lippincott,	Reidenbach,	Wood,
Flack,	Lopresti,	Richter,	Yeakel,
Floyd,	Lovett,	Rosen,	Yetzer,
Flynn,	Lutty,	Rovansek,	Young,
Frost,	Maguire,	Royer,	Zeitz,
Geer,		Rubin,	Ziegler,

NAYS—10

Auker,	Hocker,	Moscrip,	Toomey,
Davis,	Jones, Geo. E.,	Tomplins,	Worley,
Fleischman,	Moody,		

NOT VOTING—2

Kline	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 791, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further regulating the deposit and amount of security providing for reciprocity fixing penalties for certain unlawful acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 5 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2042) is hereby further amended to read as follows

Section 5 Security Required Unless Evidence of Insurance When Security Determined Suspension Exception (a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars ($100.00) the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident upon the basis of reports information or other evidence submitted to or obtained by the secretary In the event a person involved in an accident as described in this act fails to submit any information requested by the secretary indicating the extent of his injuries or the damage to his property within fifty (50) days after the accident and the secretary does not have sufficient evidence on which to base an evalution of such injuries or damage when the secretary after reasonable notice to such person if it is possible to give such notice otherwise without such notice shall not require any deposit of security for the benefit or protection of such person

* * * * *

Section 2 Said act is hereby amended by adding after section 5 thereof a new section to read as follows

Section 5.1 Reciprocity Upon receipt of certification that operating privileges of a resident of this State have been suspended or revoked in any other state or the District of Columbia pursuant to a law providing for such suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident under circumstances which would require the secretary to suspend a nonresident's operating privilege had the accident occurred in this state and if the law of such state or the District of Columbia contains reciprocal provisions the secretary shall suspend the license of such

resident if he was the operator and all of his registrations if he was the owner of a motor vehicle involved in such accident Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state or the District of Columbia relating to the deposit of security

Section 3 Section 9 of said act is hereby amended to read as follows

Section 9 Form and Amount of Security The security required under this act shall be in such form and in such amount as the secretary may require but in no case in excess of the limits specified in section five in reference to the acceptable limits of a policy or bond The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and at any time while such deposit is in the custody of the secretary or State Treasurer the person depositing it may in writing amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons Provided however That a [single] deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident

The secretary may [reduce] change the amount of security ordered in any case within six months after the date of the accident upon the production of evidence as to the probable measure of damages and if in his judgment the amount ordered is excessive or insufficient In case the security originally ordered has been deposited the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith notwithstanding the provisions of section ten In case the security originally deposited is found to be insufficient the deficiency under the increased amount ordered shall be deposited forthwith or in default thereof the operator or owner or both shall be subject to the provisions of subsection (b) of section five of this act

Section 4 Section 32 of said act as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2042) is hereby further amended to read as follows

Section 32 Other Violations Penalties (a) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act and who during such suspension or revocation drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway except as permitted under this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars ($500) or imprisoned not exceeding six (6) months or both in the discretion of the court

(b) Any person wilfully failing to return a license or registration as required in section thirty-one shall upon summary conviction before a magistrate be fined one hundred dollars ($100) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days

(c) Any person who gives any information required by the secretary under section four of this act in a report of motor vehicle accident knowing or having reason to believe that such information is false or who makes a false affidavit in connection with any transaction under this act or who forges or without authority signs any evidence of proof of financial responsibility or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority shall be guilty of a misdemeanor and upon conviction shall be fined not more than one thousand dollars ($1000) or imprisoned not more than one (1) year or both in the discretion of the court

(d) Any person who wilfully transfers any registration or wilfully causes any motor vehicle to be registered in violation of the provisions of section thirty of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars ($500) or imprisoned not more than six (6) months or both in the discretion of the court

[(d)] (e) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars ($500) or imprisoned not more than ninety (90) days or both in the discretion of the court

[(e)] (f) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Geer,	Mahan,	Sarraf,
Alexander,	Gibson,	Markley,	Schmidt,
Amarando,	Gleason,	Mathews,	Schuster,
Andrews,	Glick,	Maxwell,	Schwartz,
Ashton,	Goodling,	McCann,	Scott,
Auker,	Gramlich,	McCormack,	Seyler,
Banker,	Greenwood,	McCullough,	Shoemaker,
Barkdoll,	Guss,	McDermit,	Shotwell,
Baumunk,	Gutendorf,	McGee,	Smith, C. C.,
Bazin,	Guthrie,	McInroy,	Smith, W. B.,
Bear,	Hall,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Metz,	Spencer,
Boies,	Hamilton, W. H.,	Mihm,	Stank,
Bolton,	Harris,	Mikula,	Stevenson,
Bomberger,	Haudenshield,	Miller,	Stimmel,
Boory,	Helm,	Mills,	Stone,
Bower,	Hersch,	Monroe,	Stoner,
Breisch,	Hewitt,	Moody,	Strausser,
Breth,	Hocker,	Moore,	Sucher,
Brown,	Hoggard,	Moran,	Taylor,
Bucchin,	Ide,	Moscrip,	Thomas,
Buchanan,	Jenkins,	Muldowney,	Thompson,
Bullen,	Jim,	Munley,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, Gran'le E.,	Musto,	VanSant,
Clapper,	Jones, Paul F.,	Naugle,	Varallo,
Cochran,	Jones, T. H. W.,	Needham,	Varner,
Comer,	Jump,	Ogilvie,	Vaughan,
Connelly,	Kamyk,	Olsen,	Verona,
Conner,	Keller,	Parlante,	Wall,
Cooper,	Kent,	Peifly,	Wallace,
Coyle,	Kerlin,	Peta,	Walsh,
Curwood,	Kohl,	Petrosky,	Wargo,
Davis,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Weidner,
Down,	Kratz,	Phillips,	Welsh,
Downey,	Kromer,	Polaski,	Wescott,
DuBois,	Kubacki,	Polen,	Whalley,
Dunn,	Lafore,	Poltenstein,	Wheeler,
Erb,	Lederer,	Price,	White,
Ewing,	Leisey,	Quisenberry,	Whitenight,
Farabaugh,	Leonard,	Ragot,	Willaredt,
Fenrich,	Leven,	Readinger,	Williams,
Ferster,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reidenbach,	Wood,
Flack,	Lippincott,	Richter,	Worley,
Fleischman,	Lopresti,	Rosen,	Yeakel,
Floyd,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
			Ziegler,

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 811, Printer's No. 94,

House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 815, Printer's No. 98,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150,
House Bill No. 833, Printer's No. 205,
House Bill No. 952, Printer's No. 238,
House Bill No. 1003, Printer's No. 187,
House Bill No. 1107, Printer's No. 277,
House Bill No. 1118, Printer's No. 239 and
House Bill No. 1119, Printer's No. 240,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1131, as follows

An Act to further amend section 1211 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further limiting prosecutions for summary offenses and the authority of the State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1211 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authoritites to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 111) is hereby further amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania state Policemen Such employes of the Commonwealth as are designated as Pennsylvania State Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law

Whenever an arrest is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township in the county where the alleged offense occurred Provided [however] That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices or more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no magistrate available in such district then the officer shall forthwith take the defendant to such nearest available magistrate in any adjoining city borough incorporated town or township in the county and shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Geer,	Mahan,	Sarraf,
Alexander,	Gibson,	Markley,	Schmidt,
Amarando,	Gleason,	Mathews,	Schuster,
Andrews,	Glick,	Maxwell,	Schwartz,
Ashton,	Goodling,	McCann,	Scott,
Auker,	Gramlich,	McCormack,	Seyler,
Banker,	Greenwood,	McCullough,	Shoemaker,
Barkdoll,	Guss,	McDermit,	Shotwell,
Baumunk,	Gutendorf,	McGee,	Smith, C. C.,
Bazin,	Guthrie,	McInroy,	Smith, W. B.,
Bear,	Hall,	McWherter,	Snider,
Blair,	Hamilton, R. K.,	Metz,	Spencer,
Boles,	Hamilton, W. H.,	Mihm,	Stank,
Bolton,	Harris,	Mikula,	Stevenson,
Bomberger,	Haudenshield,	Miller,	Stimmel,
Boory,	Helm,	Mills,	Stone,
Bower,	Hersch,	Monroe,	Stoner,
Breisch,	Hewitt,	Moody,	Strausser,
Breth,	Hocker,	Moore,	Sucher,
Brown,	Hoggard,	Moran,	Taylor,
Bucchin,	Ide,	Moscrip,	Thomas,
Buchanan,	Jenkins,	Muldowney,	Thompson,
Bullen,	Jim,	Munley,	Toll,
Capano,	Johnson,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	Toomey,
Cioffi,	Jones, Gran'le E.,	Musto,	VanSant,
Clapper,	Jones, Paul F.,	Naugle,	Varallo,
Cochran,	Jones, T. H. W.,	Needham,	Varner,
Comer,	Jump,	Ogilvie,	Vaughan,
Connelly,	Kamyk,	Olsen,	Verona,
Conner,	Keller,	Parlante,	Wall,
Cooper,	Kent,	Peifly,	Wallace,
Coyle,	Kerlin,	Peta,	Walsh,
Curwood,	Kohl,	Petrosky,	Wargo,
Davis,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Weidner,

Down,	Kratz,	Phillips,	Welsh,
Downey,	Kromer,	Polaski,	Wescott,
DuBois,	Kubacki,	Polen,	Whalley,
Dunn,	Lafore,	Poltenstein,	Wheeler,
Erb,	Lederer,	Price,	White,
Ewing,	Leisey,	Quisenberry,	Whitenight,
Farabaugh,	Leonard,	Ragot,	Willaredt,
Fenrich,	Leven,	Readinger,	Williams,
Ferster,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reidenbach,	Wood,
Flack,	Lippincott,	Richter,	Worley,
Fleischman,	Lopresti,	Rosen,	Yeakel,
Floyd,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
			Ziegler,

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1217, Printer's No. 213,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1282, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 602 801 1101 1202 1302 and Clause IV of Section 1502 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 602 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties such bond shall be with a surety company or other company authorized by law to act as surety and the township may pay the premium on such bond

Section 801 Fidelity Bond The treasurer of each township shall give a fidelity and not a surety bond to the Commonwealth in a sum to be prescribed by ordinance or resolution and at least equal to fifty per centum of the probable amount of the annual township tax Such bond shall be subscribed [by sureties approved by the township commissioners or] by a surety company or companies duly authorized to do business in this Commonwealth The bond given by the treasurer shall be conditioned on a just accounting for and paying over all moneys belonging to the township funds that may come into his hands as treasurer from taxation or otherwise for the payment over thereof only in the manner prescribed by law for the delivery to his successor in office of all papers books documents and other things held in right of his office for the payment to such successor of any balance in money remaining in his hands or chage against him in the settlement of his accounts and that as tax collector of township county poor institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The township treasurer and his sureties shall be discharged from further liability on any bond as tax collector as soon as all tax items contained in the duplicates delivered to him are either (1) collected and paid over to the proper taxing district or (2) set forth in schedules filed with or certified to the proper tax authorities or (3) returned to the county commissioners for sale of the real estate by the county treasurer or returned in accordance with the Real Estate Tax Sale Law approved July 7 1947 P. L. 1368 or (4) in the case of occupation poll and per capita taxes accounted for by payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation that as tax collector he has complied with section 20 of the Local Tax Collection Law approved May 25th 1945 (P. L. 1050) The township treasurer shall be required to give but one bond which shall include his duties as township treasurer and collector of township county school institution district and poor taxes and shall cover the full term of his office Should the township county school district institution district or poor district be of the opinion at any time that the bond given is not sufficient additional security may be required to be given at the expense of the taxing district requiring the same the treasurer shall not in any event be required to give bond or bonds aggregating an amount in excess of the taxes to be collected by him The bond or bonds given by the township treasurer shall be for the use of the township the county the institution district and the school district Said bonds shall be filed with the township commissioners

Section 1101 Oath and Bond of Controller The township controller where such office has been created shall before entering upon the duties of his office take and subscribe the oath prescribed by this act for township officers and shall give bond to the township [with two or more sureties or] with a surety company or other company authorized by law to act as surety to be approved by the board of commissioners in the sum of twenty thousand dollars conditioned for the faithful discharge of his duties and so adequately protect the township from any illegal or unfaithful action by the controller The cost of such bond shall be paid by the township.

The township controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the amount thereof [and the responsibility of the sureties] before the court of common pleas

Section 1202 Bond The township solicitor shall if the board of commissioners so requires give a bond to the township with [two or more sureties or one bonding company] a surety company or other company authorized by law to act as surety to be approved by the board of commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1302 Bond The township engineer shall if the board of commissioners so requires give a bond to the township with [two or more sureties of one bonding company] a surety company or other company authorized by law to act as surety to be approved by the board of commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duty

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners the board shall have power

* * * * *

IV Township Manager To create by ordinance the office of township manager and in like manner to abolish the same

The powers duties term of office and compensation of the township manager shall be regulated by ordinance The commissioners may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the township manager He shall if required by the township commissioners give a bond to the township with [one or more sureties or one bonding company] a surety company or other company authorized by law to

act as surety to be approved by the commissioners in such sum as it shall by ordinance or resolution direct conditioned for the faithful performance of his duties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, C. C.,
Baumunk,	Guthrie,	McInroy,	Smith, W. B.,
Bazin,	Hall,	McWherter,	Snider,
Bear,	Hamilton, R. K.,	Metz,	Spencer,
Blair,	Hamilton, W. H.,	Mihm,	Stank,
Boies,	Harris,	Mikula,	Stevenson,
Bolton,	Haudenshield,	Miller,	Stimmel,
Bomberger,	Helm,	Mills,	Stone,
Boory,	Hersch,	Monroe,	Stoner,
Bower,	Hewitt,	Moody,	Strausser,
Breisch,	Hocker,	Moore,	Sucher,
Breth,	Hoggard,	Moran,	Taylor,
Brown,	Ide,	Moscrip,	Thomas,
Bucchin,	Jenkins,	Muldowney,	Thompson,
Buchanan,	Jim,	Munley,	Toll,
Bullen,	Johnson,	Murray, J. J.,	Tompkins,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, Granle E.,	Musto,	VanSant,
Cioffi,	Jones, Paul F.,	Naugle,	Varallo,
Clapper,	Jones, T. H. W.,	Needham,	Varner,
Cochran,	Jump,	Ogilvie,	Vaughan,
Comer,	Kamyk,	Olsen,	Verona,
Connelly,	Keller,	Parlante,	Wall,
Conner,	Kent,	Peifly,	Wallace,
Cooper,	Kerlin,	Peta,	Walsh,
Coyle,	Kohl,	Petrosky,	Wargo,
Curwood,	Kolankiewicz,	Pettigrew,	Waterhouse,
Davis,	Kornick,	Pfaff,	Weidner,
Dougherty,	Kratz,	Phillips,	Welsh,
Down,	Kromer,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yeakel,
Fleischman,	Lovett,	Rovansek,	Yetzer,
Floyd,	Lutty,	Royer,	Young,
Flynn,	Maguire,	Rubin,	Zeitz,
Frost,	Mahan,	Sarraf,	Ziegler,
Geer,			

NAYS—0

NOT VOTING—2

Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 416, Printer's No. 135 and

Senate Bill No. 435, Printer's No. 210,

were passed over at the request of the SPEAKER.

REPORTS FROM COMMITTEES

Mr. GIBSON from the Committee on Ways and Means, reported as committed, House Bill No. 633, entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; rquiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

Mr. GIBSON from the Committee on Ways and Means, reported as committed, House Bill No. 1343, entitled:

An Act to further amend Section 4 of the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by increasing the State tax upon the sale or gift of cigarettes by dealers.

Mr. GIBSON from the Committee on Ways and Means, reported as committed, House Bill No. 1376, entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

Mr. GIBSON, from the Committee on Ways and Means, reported as committed, House Bill No. 1377, entitled:

An Act imposing a tax on the income of unincorporated businesses, trades, occupations and professions; providing for the assessment, collection and lien of said tax; providing for the administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, officers and departments; and imposing penalties.

Mr. REIDENBACH, from the Committee on Appropriations, reported as committed, Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

BILLS ON FIRST READING

Mr. GIBSON asked and obtained unanimous consent for House Bill No. 633 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 633, entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; requiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. GIBSON asked and obtained unanimous consent for House Bill No. 1343 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1343, entitled:

An Act to further amend Section 4 of the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by increasing the State tax upon the sale or gift of cigarettes by dealers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. GIBSON asked and obtained unanimous consent for House Bill No. 1376 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1376, entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. GIBSON asked and obtained unanimous consent for House Bill No. 1377 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1377, entitled:

An Act imposing a tax on the income of unincorporated businesses, trades, occupations and professions; providing for the assessment, collection and lien of said tax; providing for the administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, officers and departments; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. REIDENBACH asked and obtained unanimous consent for Senate Bill No. 582 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PRESENTATION OF GIFT

Mr. HELM. Mr. Speaker, we see on the floor of this House performing a very noble service day after day, a group of very handsome young men. They have a very pleasant duty to perform today, and I am going to introduce one of their number and ask him to take the microphone and say a few words. I refer to one of our page boys, Jimmy Straining.

The Speaker. Without objection the Chair will recognize Page Jim Straining. The Chair hears no objection.

Mr. STRAINING. Will the Chief Page, Benny Foltz, come here, pease?

The SPEAKER. Will the Chief Page present himself at the microphone?

Mr. STRAINING. Benny, on behalf of the Page boys of 1953, we would like to present you with this wrist watch as a small token of our appreciation.

The SPEAKER. The Chair without objection at this time would ask that the Chief Page present himself at the microphone and give us a nice long speech. The Chair hears no objection.

Mr. FOLTZ. Mr. Speaker, Members of the House, and my associates in work, I do not know what to say. It is the first time I ever received anything like this as long as I have been here, and I am just stumped.

I will say, though, I appreciate it very much, and every time I wear it and look at it, I will think of my boys. Thank you.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 260

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 260, Printer's No. 17, entitled "An Act to amend section 1 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89), entitled "An act relating to the form execution revocation operation and interpretation of the wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against will and the procedure in reference thereto' by changing the provisions which permit minors in military service and mariners to dispose of their property by will."

JOHN S. FINE.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 13.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

HOUSE BILL No. 513.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

HOUSE BILL No. 1009.

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

HOUSE BILL No. 1075.

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit.

HOUSE BILL No. 1079.

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses.

With the information that the Senate has passed the same without amendment..

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence, Nos. 165, 310, 446, and 447.

MEMBER WELCOMED

The SPEAKER. The Chair is very happy to welcome back to the Hall of the House one of our Members of long standing who has been very ill, the gentleman from Schuylkill, Mr. Kline.

ANNOUNCEMENT

The SPEAKER. The Chair would remind the Members that we have been passing over controversial bills. If it meets with the approval of the Majority Leader and the Minority Leader, the Chair would suggest that tomorrow and through this week the controversial bills be brought up on the calendar.

Does the Minority Leader desire to be recognized?

Mr. ANDREWS. Mr. Speaker, there is an old quotation from some poem or other about "She starts, she reels, she seems to feel the thrill of life along her keel." And so I am glad to get an intimation that this House has about made up its mind to rescue itself from its long slumber and proceed with the business.

I see no particular gain in dodging controversial bills because they are controversial. Either bring them up and pass them or bring them up and vote them down.

The SPEAKER. The Chair has been informed that there have not been quorums at Committee meetings. It is the responsibility of Members to attend Committee meetings.

COMMITTEE MEETINGS

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Tuesday, May 26, at 10:30 a. m. DST.

PUBLIC HEALTH AND SANITATION—Mr. Frost, Chairman, Room 522, Tuesday, May 26, at 10:00 a. m. DST.

WELFARE—Mr. Haudenshield, Chairman, Room 330, Tuesday, May 26, at 11:00 a. m. DST.

There will be a Public Hearing before the Committee on MINES and MINING on House Bill No. 1240, on Tuesday, May 26, at 10:00 a. m. DST., in the Republican New Caucus Room.

ADJOURNMENT

Mr. OGILVIE. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 26, 1953 at 11:00 a. m. EST.

The motion was agreed to, and (at 5:57 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, MAY 26, 1953. No. 44.

SENATE

TUESDAY, May 26, 1953.

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. Ruth, offered the following prayer:

Almighty God, we come to Thee on this new legislative day and we know that we have so many problems which cannot be solved by intuition. Even knowledge and experience will not help us altogether. However, we do know that if we have a large measure of Thy spirit and humility and a sense of service, we can solve these problems.

We pray for that measure of spirit from Thee so that we may build for tomorrow those things which Thou hast given into our care today, that tomorrow our State may continue to be great and generous, kind and openhearted, and yet feeling that there is so much that the world expects from us. We are weak in ourselves, but we are just as strong as Thou art if Thou wilt give use that spirit. We pray for it in the Master's Name, Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 26, 1953.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pensylvania,
Governor's Office, Harrisburg, May 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Nora Brophy, Pittsburgh, 401 Grant Bldg.
Seymore Heyison, Pittsburgh, 3455 Forbes St.

BERKS COUNTY

Mrs. Kathryn N. Reigner, Earl Twp., Boyertown.

BUCKS COUNTY

Donald A. Dungan, Upper Southampton Twp., Southampton.

CHESTER COUNTY

Paul K. Guthrie, West Chester.
Mrs. Esther H. K. Hoffman, North Coventry Twp., Pottstown.
Mrs. Betsy A. Simmers, West Bradford Twp., Embreeville.

CUMBERLAND COUNTY

Mrs. Mildred L. Witmer, Mechanicsburg.

DAUPHIN COUNTY

Albert S. Marshal, Harrisburg.
Joseph A. Matjesic, Steelton.

ERIE COUNTY

Mrs. M. A. Robertson, Erie.

LANCASTER COUNTY

Richard H. Clark, Lancaster.

MERCER COUNTY

Harlan L. R. Anderson, Grove City.

MIFFLIN COUNTY

Mrs. Margaret W. Kready, Lewistown.

NORTHAMPTON COUNTY

Earl P. Kessler, Bangor.

PHILADELPHIA COUNTY

Miss Pauline Glickman, 1642 Widener Place (41).
Wm. J. Latch, 2535 North Broad St. (32).

Mrs. Jean Lerman, 506 North 61st Street (31).
Bernard B. Marder, 6849 Horrocks Street (24).
Milton Steinman, S.E. Cor. 59th & Ludlow Sts.

SOMERSET COUNTY

Miss Dasie R. Lehman, Hooversville.

WASHINGTON COUNTY

Charles J. Riska, Canonsburg.

WESTMORELAND COUNTY

Angelo Pagliarulo, New Kensington.
Mrs. Flora Perriello, New Kensington.

YORK COUNTY

Mrs. Willa W. Sigmund, Delta.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. HARE. That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Toole,
Berger,	Holland,	McGinnis,	Wade,
Blass,	Kephart,	McMenamin,	Wagner,
Camiel,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Crowe,	Lane,	Pechan,	Watson,
Dent,	Leader,	Peelor,	Weiner,
Diehm,	Letzler,	Propert,	Wolfe,
DiSilvestro,	Madigan,	Ruth,	Wood,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Taylor,
Haluska,		Stevenson,	Pres. Pro Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATION BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Gerald J. McDermott, 405 Olive Street, Scranton, Lackawanna County, for appointment as Alderman in and for the 16th Ward of the City of Scranton, Lackawanna County, until the first Monday of January 1954, vice James P. Curran, deceased.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 500, entitled:

An Act to amend the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need burial contracts

Which was committed to the Committee on Education.

House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

Which was committed to the Committee on Local Government.

House Bill No. 732, entitled:

An Act authorizing the Pennsylvania Aeronautics Commission to expend State funds for civil air patrol aviation education training aids and maintenance of civil air patrol aircraft

Which was committed to the Committee on State Government.

House Bill No. 791, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further regulating the deposit and amount of security, providing for reciprocity, fixing penalties for certain unlawful acts.

Which was committed to the Committee on Highways.

House Bill No. 1131, entitled:

An Act to further amend section 1211 of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of

Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further limiting prosecutions for summary offenses and the authority of the State Police.

Which was committed to the Committee on Highways.

House Bill No. 1282, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

Which was committed to the Committee on Local Government.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 13, entitled:

An Act, to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by changing the poll tax to a capitation tax.

House Bill No. 513, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

House Bill No. 817, entitled:

An Act to amend section four of the act approved the fourteenth day of January, one thousand nine hundred fifty-two (P. L. 1965), entitled "Fuel Use Tax Act," by extending the provisions of the additional tax for a limited time.

House Bill No. 818, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) entitled, as amended, "Liquid Fuels Tax Law," by extending the provisions of the additional tax for a limited time.

House Bill No. 819, entitled:

An Act to further amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended, "Liquid Fuels Tax Law," by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

House Bill No. 1009, entitled:

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

House Bill No. 1075, entitled:

An Act to amend Section 1217 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "The Game Law," by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit.

House Bill No. 1079, entitled:

An Act to amend Subsection (6) of Section 315 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by changing the procedure of reviewing cases where licenses have been revoked, of resident licenses.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Luzerne, Mr. Wood, to the rostrum to preside.

The PRESIDING OFFICER (T. N. Wood) in the Chair.

REPORTS FROM COMMITTEES

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. KESSLER, from the Committee on Public Health and Welfare, to which was referred resolution offered by Messrs. Silvert and Diehm, on May 20, 1953, reported the same without amendment as follows:

In the Senate, May 20, 1953.

Whereas, Under the date of May 21, 1951, Resolution, Serial Number 122, Legislative Journal, page 1764, was adopted by the Senate; and

Whereas, The said Resolution provided as follows:

"Whereas, The personal, family, social, medical, financial and related problems arising from the continued increase in the number and proportion of Pennsylvanians of advanced age are of growing magnitude; and

"Whereas, These problems are of such striking significance and so intricate as to warrant special and intensive attention by the Commonwealth; and

"Whereas, All aspects of this rise in the aging population presents the Commonwealth with increasingly serious social and human problems; now therefore be it

"Resolved, (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the State-wide needs and problems of the aging and the aged and to develop in cooperation with other governmental and voluntary groups ways and means to assist the Commonwealth in meeting these needs and problems and in such study the commission may appoint and consult with a Citizens Advisory Committee of competent lay and professional citizens who have demonstrated interests in and knowledge of the aging and the aged. Such study shall concentrate on the following:

"1. Employment opportunities for older persons.

"2. Facilities and services for the aged including; counseling and personal services, employment guidance and placement services, medical care services, institutional services, treatment and rehabilitation for the chronically ill, care of and rehabilitation for the dis-

abled and the handicapped, recreation, education and related community services.

"3. Analysis of the problems of the aged receiving old-age assistance with special reference to the adequacy of grants and standards of living, boarding homes and other sheltered care for the indigent aged.

"4. Special attention to the problems of care and treatment of the senile aged.

"5. Study of other special needs as develop in the course of the study; and be it further

"Resolved, That the Joint State Government Commission shall report to the General Assembly on or before February first, one thousand nine hundred fifty-three, the results of its studies and investigations and recommendations."

Whereas, The study not being completed and the problem still being present, it is therefore

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to continue its study as provided in the 1951 Resolution as above set forth and to report to the General Assembly on or before February first, one thousand nine hundred fifty-five, the results of its studies and investigations and recommendations.

Laid over for one day under the Rules.

BILL RE-REFERRED

Mr. KESSLER, from the Committee on Public Health and Welfare, reported as committed Senate Bill No. 284, entitled:

An Act to further amend Section 28 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by further providing for payment of the compensation of local registrars; and making an appropriation.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Public Health and Welfare, reported as amended Senate Bill No. 54, entitled:

An Act to further amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind: and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards; authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "assistance" and those persons eligible for assistance; further prescribing residence requirements with respect to assistance, changing the terms of county board members, clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution; prescribing additional penalties and repealing a certain act.

He also, from the Committee on Public Health and Welfare, reported as amended Senate Bill No. 59, entitled:

An Act to further amend Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by making certain aged persons placed in county homes eligible for assistance.

He also, from the Committee on Public Health and Welfare, reported as committed House Bill No. 156, entitled:

An Act to further amend clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by providing that where the Commonwealth assigns to a third party any lien or obligation secured for repayment of public assistance the assignee can collect thereon only the amount he paid to the Commonwealth

He also, from the Committee on Public Health and Welfare, reported as committed Senate Bill No. 534, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto," by permitting temporary restraint of one alleged to be mentally ill.

He also, from the Committee on Public Health and Welfare, reported as amended House Bill No. 779, entitled:

An Act to further amend the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1182), entitled "An act relating to and defining chiropractic and the right to practice chiropractic; requiring licensure; conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction; providing for the granting, suspension and revocation of licenses issued by the board; preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction; conferring jurisdiction upon the Court of Common Pleas of Dauphin County; and prescribing penalties," by extending the period for application for limited examination and to transfer from the jurisdiction of the States Board of Medical Education and Licensure; providing

or licensure of non-resident practictioners; providing for licensing of graduates of unincorporated schools of chiropractic; removing requirement to mail registration renewal applications.

He also, from the Committee on Public Health and Welfare, reported as committed House Bill No. 1101, entitled:

An Act providing for the administration of a state wide system of vital statistic prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating the laws relating thereto.

Mr. KOPRIVER, JR. from the Committee on Local Government, reported as committed Senate Bill No. 273, entitled:

An Act fixing the fees and mileage of the Coroner in counties of the third class.

He also, from the Committee on Local Government, reported as amended Senate Bill No. 361, entitled:

An Act to amend the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes," by increasing certain fees and creating new fees.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 362, entitled:

An Act to further amend Section 1 of the act, approved the sixth day of May, one thousand eight hundred seventy-four (P. L. 125), entitled "An act regulating State tax on certain county offices," by increasing the maximum amount of fees that prothonotaries and clerks of courts may retain.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 363, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 364, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 365, entitled:

An Act providing for filing in the prothonotary's office of letters of attorney, authorizing acts related to instruments or judgments filed therein and revocations thereof; the establishment of a letter of attorney docket, and certifying copies and their admissibility in evidence; and prescribing fees and penalties.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 366, entitled:

An Act to further amend Section 10 of the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by increasing the filing fee of conditional sales contracts in the prothonotary's office.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 367, entitled:

An Act to further amend Section 9 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgagese on any chattel or chattels of any kind of description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; describing the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by increasing the filing fee for chattel mortgages in the prothonotary's office.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 503, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 504, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh and eighth class.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 563, entitled:

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

He also, from the Committee on Local Government, reported as committed House Bill No. 970, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment.

He also, from the Committee on Local Government, reported as amended House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

Mr. BANE, from the Committee on Judiciary General, reported as committed Senate Bill No. 496, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure relating to incompetents' estates," by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred elven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Conmmonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take on exception to the ruling of a trial judge on the admission or exclusion of testimony.

He also, from the Committee on Judiciary General, reported as committed Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transoctions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

Mr. McCREESH, from the Committee on Public Health and Welfare, reported as amended Senate Bill No. 277, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended "An act to promote public health, safety, morals and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

He also, from the Committee on Banking reported as committed Senate Bill No. 531, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors,, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

He also, from the Committee on Banking reported as committed House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the busines of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" by increasing the minimum amount of interest and charges on loans

BILLS INTRODUCED AND REFERRED

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 627, entitled:

An Act making an appropriation to the Department of Forests and Waters to defray expenses of official guests of the Commonwealth.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 628, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth" by adding new routes.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 629, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligatoin of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by adding new routes in Bucks County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 630, entitled:

An Act making an appropriation to the Department of Forests and Waters for the payment of expenses in restoring and maintaining certain bridges crossing the Delaware Canal.

Which was committed to the Committee on Appropriations.

Mr. KOPRIVER, JR., read in his place and presented to the Chair Senate Bill No. 631, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the provisions relating to zoning ordinances.

Which was committed to the Committee on Local Government.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 632, entitled:

An Act authorizing minors to open and maintain bank accounts, and fixing the rights and duties of minors, the minors' parents or guardians, and the depository bank with respect thereto.

Which was committed to the Committee on Judiciary General.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 633, entitled:

An Act to amend Clause (3) of Section 5 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," by further providing for investments in obligations of municipality authorities.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I wish to draw to the attention of the Senate that vandalism has become very rampant in the cemeteries, especially in the western part of the Commonwealth.

Mr. President, last Saturday, the Veterans of Foreign Wars, the American Legion and the AMVETS started to place flags on the veterans' gaves. They found that the markers, which are bronze markers and had been placed there a year before, had been stolen. After an investigation, we found some people who live in the neighborhood of the cemeteries, and learned that these groups of men have gone in there and picked the markers from the graves and sold them as junk. They received twenty-five cents each for each marker.

Mr. President, I have been requested by the Veterans of Foreign Wars and the American Legion, of Allegheny County, to have this bill presented. Therefore, Mr. President, on behalf of my colleagues, Senator Wolfe, Senator Hare, Senator Wade, Senator Leader, Senator Bane and myself, I am presenting this bill at the request of the Veterans of Foreign Wars and the American Legion.

BILLS INTRODUCED AND REFERRED

Messrs. HOLLAND, WOLFE, HARE, WADE, LEADER and BANE read in place and presented to the Chair Senate Bill No. 634, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to steal, or to purchase or receive for use as junk or scrap metal, any veteran's grave marker or emblem; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Messrs. HOLLAND, DENT and WOOD read in place and presented to the Chair Senate Bill No. 635, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by changing method of selecting panels for the adjustment of grievances of certain school district employes and imposing additional duties on such panels.

Which was committed to the Committee on Labor and Industry.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 636, entitled:

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 349), entitled "An act requiring political subdivisions to

refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by further prescribing what taxes or license fees may be refunded or sued for.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 637, entitled:

An Act to repeal Section 518 of, and to add a new section 518.1 to the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments.

Which was committed to the Committee on Local Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 638, entitled:

An Act to amend the title of and the act approved the tenth day of May one thousand nine hundred and fifty-one (P. L. 265) entitled "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties" by defining "collector."

Which was committed to the Committee on Finance.

Messrs. LANE and WATSON read in place and presented to the Chair Senate Bill No. 639, entitled:

An Act requiring insurance companies to accept insurance premiums after thirty days after the premiums are due.

Which was committed to th Committee on Insurance.

Messrs. LANE and STEVENSON read in place and presented to the Chair Senate Bill No. 640, entitled:

An Act relating to county planning and the regulation of land subdivisions in counties other than counties of the first class; providing for the creation of planning, commissions, prescribing the powers and duties of the planning commissions, political subdivisions, certain public officers and public and quasi-public agencies within the respective counties and imposing penalties.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, on behalf of Senator Pechan and myself, I am presenting this bill.

Mr. President, I want to state for the benefit of th Senate that this bill has been drawn rather hurriedly and some technical changes may have to be made befor the bill is properly drafted. However, for the momen it will serve the purpose we have in mind.

Mr. President, this bill relates to the rated speed o motor vehicles to be sold in the Commonwealth of Penn sylvania.

BILL INTRODUCED AND REFERRED

Messrs. DENT and PECHAN read in place and pre sented to the Chair Senate Bill No. 641, entitled:

An Act to amend the act, approved the first day o May, one thousand nine hundred twenty-nine (P. L. 905) entitled "an act for the protection of the public safety regulating the use of highways, and the operation o vehicles, tractors, street cars, trackless trolley omnibuses bicycles, pedestrians, and the riding of animals upon th highways of this Commonwealth; providing for the titling including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by restricting the sale of new motor vehicles to those of prescribed horsepower or to such new motor vehicles with mechanical devices or speed control governors attached to limit the speed of such vehicles.

Which was committed to the Committee on Highways.

STUDENTS FROM MEDIA HIGH SCHOOL, DELAWARE COUNTY, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair at this time is pleased to announce the presence in the Senate of the ninth grade civics class of Media High School, Delaware County. These students are here as the guests of Senator Watkins.

Will Senator Watkins' guests please rise in place and take a bow?

PETITIONS AND REMONSTRANCES

Mr. WADE. Mr. President, at various times throughout the Session we hear criticism, and at infrequent times we hear commendation of our various and sundry State institutions.

Mr. President, in the report of the committee appointed recently by the Governor to investigate the penal correctional system of the Commonwealth of Pennsylvania, it must have been the source of a great deal of satisfaction to Superintendent Arthur Prasse and the Board of Trustees to have this comment made regarding White Hill Institution, known as the Pennsylvania Industrial School at White Hill.

"As stated in paragraph 3 of Article II, we consider that the Pennsylvania Industrial School at White Hill is

n excellent institution. It has a capacity of 1404 and perates at about 90 per cent of capacity. It is located in umberland County only a few miles from Harrisburg nd has an adjacent farm which supplements the in-ustrial aspects of the school."

My purpose today, Mr. President and Members of he Senate, is to extend a warm invitation to each and very one of you, my colleagues, and, in addition, all he guests we have here today, which includes the guests f Senator Watkins, to attend a program given by the ennsylvania Industrial School Band and the Pennsyl-ania Industrial School Glee Club at the Forum, here n Harrisburg, tonight. I know that you Members who ravel long distances will enjoy a program of this kind. know that if you will take time out of your busy chedules to attend this affair tonight, which, incidentally, s without charge, you will be amply repaid for your ime.

Mr. President, the program is under the direction of I. Lindley Seltzer, Director of the Band, and Mrs. Dale, who directs the Glee Club.

Again, I repeat, Mr. President, that I wish to extend a varm invitation to each and every one of my colleagues, n addition to all the guests who are here with us today n the Senate, to attend this affair.

Mr. HALUSKA. Mr. President, we have on the Post-oned Calendar Senate Bill No. 280, relative to increasing he speed limit in the Commonwealth of Pennsylvania rom fifty to sixty miles per hour.

Mr. President, just a moment ago, my good friend and olleague from Westmoreland County introduced a bill o set a certain regulation upon motor vehicles. While we may disagree, I assure you we are not disagreeable. find no fault with what he has in mind. However, I do elieve sincerely, Mr. President, that the day has arrived when we must give serious thought to meet the modern rend in order to travel over the highways which are uilt accordingly. I am sure that none of us can sincerely tate that we do not drive our motor vehicles over fifty niles an hour. Today, that speed jams up traffic.

Mr. President, it is true, on some highways forty miles n hour may be too fast; thirty miles an hour may be too ast. However, on our three lane and four lane highways, with the type of automobiles that we have today, the ype of highway construction we have, I am sure that we all believe that we can increase our limits without injury to anyone. It is not how fast we drive; it is how we drive. As someone once said, "It is not how long we live; it is how we live."

Mr. President, I certainly think the day has arrived when we should give serious thought to amending the Vehicle Code and pass this measure, in order to make it possible to move on with the trend of our Country. This bill has been on the Postponed Calendar for quite some time. Some of my colleagues have stated, in private, that they think the bill should be amended to read fifty-five miles an hour. Well, I will not argue about that. I see no harm in posting our highways, and showing the type of speed that can be expected. They have that in other States. Secondary highways are marked "30 Miles an Hour." Surely, with the highway system that we have, we must admit that all of us exceed our present speed limit, and rightfully so.

Mr. President, I hope that the Committee on Highways will give serious thought to having this bill either amended or moved up for final action some time next week.

Mr. DENT. Mr. President and Members of the Senate, I understand, after holding conversation with my colleague, that what he has in mind is giving the Highway Department the right to establish greater speed limits on those roads that are able to bear the heavier traffic and speedier traffic.

Mr. President, the bill which I introduced, along with Senator Pechan, has nothing to do with that whatsoever. All that my bill does is to establish a rated speed of a vehicle at ten miles per hour over any legal speed limit set by our Department of Highways and the General Assembly.

Mr. President, after my sad experience and tragic experience of yesterday, however, I have developed a new idea. For many years, as a youngster driving a vehicle, I had the ambition to be the fastest driver on the road. Now, Mr. President and Members of the Senate, I no longer want to be the fastest; I want to be the oldest.

SENATE CONCURRENT RESOLUTIONS

URGING DEPARTMENT OF HIGHWAYS TO CONSTRUCT A BY-PASS FOR ROUTE No. 19

Mr. KOPRIVER, JR. offered the following resolution which was twice read and referred to the Committee on Highways:

In the Senate, May 26, 1953.

Whereas, Traffic passing through the Township of Mount Lebanon on Route No. 19 is hampered because of congestion due to the fact that this area is built up from a residential and commercial standpoint; and

Whereas, On Monday, April 23, 1953, the Mount Lebanon Board of Township Commissioners adopted a resolution urging the Pennsylvania Department of Highways to construct a by-pass for Route No. 19 around the aforesaid built-up area of the Township of Mount Lebanon; and

Whereas, The construction of said by-pass was advocated by the Allegheny Conference on Community Development; and

Whereas, The construction of a by-pass for Route No. 19 around the Township of Mount Lebanon would eliminate the heavy traffic on Route No. 19 through the business and residential districts of Mount Lebanon and would expedite the movement of traffic to the benefit of the traveling public; therefore be it

Resolved, (If the House of Representatives concur), That the Pennsylvania Department of Highways is urged to construct a by-pass for Route No. 19 around Mount Lebanon for the purposes of relieving traffic congestion and expediting the flow of traffic on Route No. 19.

TIME OF NEXT MEETING

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 26, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 1, at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, June 1, 1953 at three-thirty o'clock p. m., E. S. T.

BILL INTRODUCED AND REFERRED

Mr. SILVERT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. SILVERT, CAMIEL and WEINER read in place and presented to the Chair Senate Bill No. 642, entitled:

An Act to further amend Section 2 of the act, approved the seventh day of May, one thousand nine hundred thirty-seven (P. L. 589), entitled, as amended "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; providing for the taking, opening, relocation, widening or change of grade of such State highways by the Commonwealth at the expense of the Commonwealth and any such city, or either of them, and authorizing agreements between cities and the Commonwealth for the opening, taking, relocating, widening or change of grade of said streets, and designating the city as agent of the Commonwealth in such opening, taking, relocating, widening or change of grade and the determination of damages to private property arising therefrom; imposing duties on such cities and on public utility companies using such streets; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction; regulating the replacement of certain facilities of public utility companies; prohibiting the making of any opening in said street after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing and deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 31, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including corn shellers in the definition of "Farm Tractor" and in the classification of tractors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Farm Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by th Department of Revenue upon payment of prescribed fee prescribing and limiting the powers of local authoritie to deal with the subject matter of this act conferrin powers and imposing duties upon the Department o Revenue the Department of Highways peace officer mayors burgesses magistrates aldermen justices of th peace the courts and the clerks thereof owners of trac tors providing that records are admissible as evidenc imposing upon owners counties cities boroughs incor porated towns and townships within the Commonwealt liability for damages caused by the negligent operatio of tractors imposing penalties imposing certain costs upo counties providing for the disposition of fines forfeiture fees and miscellaneous receipts making an appropria tion and providing for refunds" as last amended by th act approved the fourteenth day of January one thou sand nine hundred fifty-two (P. L. 1996) is hereby furthe amended to read as follows

Section 102 Definitions The following words and phrase when used in this act shall for the purpose of this ac have the meanings respectively ascribed to them in thi section except in those instances where the contex clearly indicates a different meaning

* * * * *

"Farm Tractor" Every vehicle of the tractor type whic is self-propelled designed and used primarily as a farn implement for drawing plows mowing machines an other implements of husbandry or used as a corn shelle

Section 2 Section 203 of the said act as last amende by the act approved the eighteenth day of May one thou sand nine hundred forty-nine (P. L. 1456) is hereb further amended to read as follows

Section 203 Classification Tractors for the purposes o this act shall be divided into two classes

(a) First class Tractors used primarily as farm imple ments for drawing plows mowing machines farm wagon and other implements of husbandry or used as corn shellers or as well-drilling and production equipment

(b) Second class Tractors used for industrial purpose and for all hauling on any highway except as specifie in clause (a) of this section

And said bill having been read at length the third time ,and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent	Leader,	Peelor,	Watson,
Diehm	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska		Stevenson,	Presiding Office

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 253, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 199, as follows:

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain case before the Pennsylvania Labor Relations Board" by making certain changes in the grievance procedure provided for in the \act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" is hereby amended to read as follows

Section 1 As used in this act

* * * * *

(b) The word "strike" means the failure to report for duty the wilful absence from one's position the stoppage of work or the abstinence in whole or in part from the full faithful and proper performance of the duties of employment for the purpose of inducing influencing or coercing a change in the conditions or compensation or the rights privileges or obligations of employment Provided however That nothing contained in this act shall be construed to limit impair or affect the right of any public employe to the expression or communcation of a view grievance complaint or opinion on any matter related to the conditions or compensation of public employment or the betterment thereof so long as the same is not designed to and does not interfere with the full faithful and proper performance of the duties of employment nor to limit impair or affect the right of any such employe to attend meetings conferences or hearings relating to such matters so long as such attendance is not designed to interfere with the full faithful and proper performance of the duties of employment for the further purpose of equitably carrying out the provisions of this act In order to avoid or minimize any possible controversies by making available full and adequate governmental facilties for the adjustment of grievances the governmental agency involved at the request of the public employes shall within fifteen (15) days of such request set up a panel of three members one to be selected by the employes one by the governmental agency and the two so selected to select a third member If within fifteen (15) days of their selection the two members selected by the governmental agency and the employes involved are unable to agree on the third member of the panel either the governmental agency or the public employes may petition the Court of Common Pleas of Dauphin County if the controversy involves the Commonwealth of Pennsylvania its agencies boards commissions or any of its authorities to select the third member of the panel If the controversy involves any political subdivision of the Commonwealth or any other authority within a political subdivision such petition for the selection of a third member of the panel shall be presented to the court of common pleas of the county wherein the political subdivision or the authority is situated Upon receipt of such a petition the proper court shall select the third member The members of the panel shall be compensated for all necessary expenses by the Commonwealth or the political subdivision thereof or the authority involved The panel shall meet within fifteen (15) days If the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted [if] If the conference negotiations do not result in rulings satisfactory to all parties concerned within thirty (30) days of a request made for a hearing by any of the parties concerned the panel shall afford the public employes and the governmental agency a full hearing [after which] Within thirty (30) days of the close of such hearing the panel shall make their findings copy of which shall be forthwith sent to the Governor to the General Assembly and to the head of the agency or political subdivision involved Upon receipt of the findings of the panel the Governor or the head of the State agency or political subdivision involved may take administrative measures to remedy the complaints If the Governor or the head of the State agency or political subdivision finds that the situation complained of can only be remedied by legislative actions the Governor may refer the matter to the Legislature for correction or the head of the State agency or political subdivision may refer the matter to the proper law-making body If the members of the panel decide that legal counsel is necessary they may with the approval of the Attorney General engage local counsel to advise them on the questions involved.

Provided however That in the case of grievances or controversies involving employes of the public school system of the Commonwealth the school board or Board of Public Education at the request of the employes shall set up a panel of three members one an employe of the school district to be selected by the employes one a member of the board of school directors or Board of Public Education to be selected by such body and the third shall be the State Superintendent of Public Instruction or his nominee The members of the panel shall serve without compensation but shall receive all necessary traveling expenses which shall be paid by the school district or Board of Public Education involved

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 352, as follows:

An Act to further amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 6 and 7 of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 394) are hereby further amended to read as follows

Section 6 Preliminary Orders Temporary Custody of Children Upon the filing of any petition as above set forth or the commitment of a child by any magistrate alderman or justice of the peace the judge holding the juvenile court shall if after preliminary inquiry he deems the same necessary make all necessary orders for compelling the production of such child and the attendance of parents or other person or persons having the custody or control of the child or with whom the child may be

Pending the final disposition of any case the child shall be subject to the order of the court and may be permitted by the court to remain in the control of his or her parents or the person having him or her in charge or in charge of a probation officer or the child may be placed by the court in the custody of any association or society having for one of its objects the care of dependent delinquent or neglected children or may be ordered by the court to be kept and maintaind in some place provided by the county for such purposes Provided That if such child is sixteen years of age or over and less than eighteen years or age he or she may be confined in any place of detention maintaind and provided for the custody of adults awaiting trial on order of the court if in its opinion the circumstances of the individual case so warrants.

Section 7 Certain Commitments Prohibited Special Rooms for Detention of Children No child under sixteen years of age pending or after hearing before the juvenile court shall be confined in any county jail workhouse police station lockup or other institution in which adults are confined or be placed in any court room during the trial of adults unless his or her presence be required in the prosecution of adults upon order of the judge presiding at the trial of such adult or adults or in any vehicle in company with adults charged with or convicted of crime

The county commissioners in each county or in cooperation with another county or other counties shall provide furnish and heat a separate room or rooms or a suitable building to be used exclusively for the confinement of all children under [sixteen] eighteen years of age who may be in custody awaiting hearing in the juvenile court of the county and shall provide for the maintenance and care of such children while in custody.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 354, as follows:

An Act to further amend the act approved the seventeenth day of April one thousand eight hundred seventy-six (P. L. 29) entitled "An act relating to appeals in cases of summary convictions" by extending the time within which appeals may be taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of April one thousand eight hundred seventy-six (P. L. 29) entitled "An act relating to appeals in cases of summary convictions" as last amended by the act approved the first day of April one thousand nine hundred twenty-five (P. L. 98) is hereby further amended to read as follows

Section 1 Be it enacted &c That in all cases of summary conviction in this Commonwealth before a magistrate or court not of record either party even though any fine imposed has already been paid may within [five] ten days after such conviction appeal to the court of quarter sessions of the county in which such magistrate shall reside or court not of record shall be held upon allowance of the said court of quarter sessions or any judge thereof upon cause shown and either party may also appeal from the judgment of a magistrate or a court not of record in a suit for a penalty to the court of common pleas of the county in which said judgment shall be rendered upon allowance of said court or any judge thereof upon cause shown Provided That pending the taking of an appeal by either party or the allowance or refusal thereof by the court or judge the fine or penalty and costs imposed by the magistrate or court not of record need not be paid if bail is entered with one or more sufficient sureties in double the amount of such fine or penalty and costs for the payment thereof on the refusal of such appeal or if allowed on the final disposal of such appeal If the defendant pays the fine or penalty and costs imposed and wishes to take an appeal under the provisions of this section he shall give bail in double the probable amount of costs that may accrue in the final disposition of the appeal

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,

Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 462, as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars ($25,000) or as much thereof as may be necessary is hereby appropriated out of the Motor License Fund to the Department of Public Instruction for the two fiscal years commencing June first one thousand nine hundred fifty-three for the purpose of promoting highway safety education through the schools in this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Bane,	Harney,	McCreesh,	Stiefel,
Barr,	Holland,	McCusker,	Wade,
Blass,	Kephart,	McGinnis,	Wagner,
Camiel,	Kessler,	McMenamin,	Walker,
Chapman,	Kopriver, Jr.	McPherson, Jr.	Watkins,
Crowe,	Lane,	Miller,	Watson,
Diehm,	Letzler,	Peelor,	Weiner,
Fleming,	Madigan,	Propert,	Wolfe,
Freed,	Mahany,	Ruth,	Wood,
Haluska,	Mallery,	Silvert,	Presiding Officer
Hare,			

NAYS—0

Snowden,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, as follows:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by increasing the permitted amount of insurance coverage in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection 4 of Section 2 of the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" is hereby amended to read as follows

Section 2 Policies Issued to Employers or Trustees of Employer Funds A policy issued to an employer or to the trustees of a fund established by an employer to insure employes of the employer for the benefit of persons other than the employer shall be subject to the following requirements

* * * * *

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the employes or by the employer or trustees No policy may be issued which provides term insurance on any employe which together with any other term insurance under any group life insurance policy or policies issued to the employers or any of them or to the trustees of a fund established in whole or in part by the employers or any of them exceeds twenty thousand dollars ($20,000) or one and one-half times the basic annual earned income of the employe whichever is the greater but in no case exceeding forty thousand dollars ($40,000)

Section 2 Subsection 4 of Section 4 of said act as amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 605) is hereby further amended to read as follows

Section 4 Policies Issued to Labor Unions or Police Fraternities A policy issued to a labor union or a police fraternity to insure members of such union or fraternity for the benefit of persons other than the union or fraternity or any of its officials representatives or agents shall be subject to the following requirements

* * * * *

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the union or fraternity No policy may be issued which provides term insurance on any union or fraternity member which together with any other term insurance under any group life insurance policies issued to the union or fraternity exceeds twenty thousand dollars ($20,000) or one and one-half times the basic annual earned income of the member whichever is the greater but in no case exceeding forty thousand dollars ($40,000)

Section 3 Subsection 4 of Section 5 of said act is hereby amended to read as follows

Section 5 Policies Issued to Trustees of Joint Funds A policy issued to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions or by one or more employers and one or more labor unions to insure employes of the employers or members of the unions for the benefit of persons other than the employers or the unions shall be subject to the following requirements

* * * * *

(4) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder employers or unions No policy may be issued which provides term insurance on any person which together with any other term insurance under any group life insurance policy or policies issued to the employers or any of them or to the trustees of a fund established in whole or in part by the employers or any of them exceeds twenty thousand dollars ($20,000) or one and one-half times the basic annual earned income of the person whichever is the greater but in no case exceeding forty thousand dollars ($40,000)

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 550, as follows:

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds and the effect thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The recorder of deeds shall record exemplified copies of wills probated outside of this Commonwealth and shall index the same in the grantor index under the name of the testator and in the grantee index under the name of each person named in the will as devisee of real property located in this Commonwealth Each will so recorded and indexed shall be notice to all persons of the existence thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572, as follows:

An Act to further amend Section 18 of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" by providing for filing summaries of audits and for annulling vacating or forfeiture of articles of association or associations failing to file such summaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 18 of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 879) is hereby further amended to read as follows

Section 18 Every association shall from time to time appoint an auditing committee of three persons who shall not be directors officers agents or employes of the association but who may or may not be members of said association Said committee shall at least once in each fiscal year of such association examine its records and property and within one month after such examination report in writing the results thereof to the association At the close of each fiscal year a complete audit of the operations of the association shall be made in the case of associations having a gross annual income not exceeding two thousand dollars by said committee in all other cases by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the members admitted and withdrawn the total number of members and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file a summary of the statistical information contained in the report of audit with the Secretary of Agriculture of this Commonwealth and with the Dean of the School of Agriculture of the Pennsylvania State College upon a form prescribed by the Secretary of Agriculture with the approval of the Dean of the School of Agriculture

[Any association which for three successive years shall fail to file with the Secretary of Agriculture the summary of audit hereinbefore provided shall be notified by registered mail by the Secretary of Agriculture that such summary must be filed within thirty days from the date of mailing such registered notice In the event such association fails to file the summary of audit within the period of thirty days the Secretary of Agriculture shall certify to the Secretary of the Commonwealth that such association has failed to comply with the terms of this section The Secretary of the Commonwealth upon receipt of said certificate shall by registered mail notify said association its president and its treasurer at their last known addresses that upon a day fixed by him which shall not be less than thirty days nor more than forty-five days from the date of mailing such registered notices a hearing will be held before him in his office at Harrisburg Pennsylvania to determine whether such association is still doing business During the period between the mail-

ing of such registered notices and the date of the hearing the Secretary of the Commonwealth shall cause an advertisement of the date and purpose of such hearing to be inserted for two successive weeks in at least one newspaper of general circulation in the county where the principal office of said association is located which shall constitute notice to all interested parties Such registered notices and such advertisement shall state that in the event no evidence is produced before the Secretary of the Commonwealth that such association is doing business the record of such hearing will be transmitted and certified to the Attorney General for the purpose of instituting proceedings for the involuntary winding up and dissolution of such association and to annual vacate and forfeit the articles of such association

At the hearing before the Secretary of the Commonwealth the Secretary of Agriculture or his deputy shall be sworn and shall give testimony regarding the failure of such association to file the summaries of audits

In the event that such association prior to the hearing shall have filed with the Secretary of Agriculture the summaries of audits for the preceding three years such proceedings shall then be dismissed without prejudice to such association

If testimony is presented at the hearing showing that such association is doing business such proceedings shall then be dismissed and if the officers of such association shall neglect or refuse to file such summaries of audits with the Secretary of Agriculture and with the Dean of the School of Agriculture as hereinbefore provided in this section within thirty days from the date of said hearing said officers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court

In the event no testimony is presented to the Secretary of the Commonwealth that such association is doing business the Secretary of the Commonwealth shall certify and transmit the record of such hearing to the Attorney General who at the expense of the Commonwealth except as hereinafter provided shall institute involuntary proceedings for the winding up and dissolution of such association and to annul vacate or forfeit the articles of such association If in said involuntary proceedings said association shall appear in opposition thereto and shall show that it is solvent and doing business and the court shall dismiss the proceedings said dismissal shall be at the cost of such association In the event of such dismissal if the officers of such association shall neglect or refuse to file such summaries of audit with the Secretary of Agriculture and with the Dean of the School of Agriculture as hereinbefore provided in this section within thirty days from the date of such dismissal said officers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court] No person shall without the consent of the association except for official purposes or in obedience to judicial process make or permit any disclosure whereby any information contained in said summary of audit may be identified as having been furnished by said association and any person making or permitting any such disclosure as provided in this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court All associations organized and doing business under the provisions of this act shall be exempt from the payment of any State tax upon net income or measured by net income and shall not be required to file with the Department of Revenue of this Commonwealth reports relative to such taxes

Any association which for three successive years shall fail to file with the Secretary of Agriculture the summary of audits hereinbefore provided shall be notified by registered mail by the Secretary of Agriculture that such summaries must be filed within thirty days from the date of mailing such regstered notice and that failure to so file will result in annulment forfeiture and vacation of the articles and letters patent of such association In the event such association fails to file the summaries of audit within the period of thirty days the Secretary of Agriculture shall certify to the Governor that such association has failed to comply with the terms of this section The Governor shall thereupon by proclamation annul vacate and forfeit the articles of such association and the letters patent issued to such association whereupon the association shall cease and be determined saving however the right of the creditors and members in and to any property assets claims or demands of or belonging to such association

Any person who shall exercise or attempt to exercise any powers privileges or franchises under articles of association which have been annulled vacated and forfeited hereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars or undergo imprisonment for not more than six months or both

The proclamation of the Governor annulling vacating and forfeiting the articles of association of any such association shall be recorded in the office of the Secretary of the Commonwealth and also in the office of the recorder of deeds in and for the county where the registered office of the association is situated as set forth in the articles of association and where it is different then also in the office of the recorder of deeds in and for the county where the principal place of business is situated Certiled copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573, as follows:

An Act to further amend Section 17 of the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by

providing for filing summaries of audits and for annulling vacating or forfeiture of articles of association failing to file such summaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 17 of the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" as amended by the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 883) is hereby further amended to read as follows

Section 17 At the close of each fiscal year a complete audit of the operations of the association shall be made by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the total number of stockholders and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file a summary of the statistical information contained in the report of audit with the Secretary of Agriculture of this Commonwealth and with the Dean of the School of Agriculture of the Pennsylvania State College upon a form prescribed by the Secretary of Agriculture with the approval of the Dean of the School of Agriculture

[Any association which for three successive years shall fail to file with the Secretary of Agriculture the summary of audit hereinbefore provided shall be notified by registered mail by the Secretary of Agriculture that such summary must be filed within thirty days from the date of mailing such registered notice In the event such association fails to file the summary of audit within the period of thirty days the Secretary of Agriculture shall certify to the Secretary of the Commonwealth that such association has failed to comply with the terms of this section The Secretary of the Commonwealth upon receipt of said certificate shall by registered mail notify said association its president and its treasurer at their last known addresses that upon a day fixed by him which shall not be less than thirty days nor more than forty-five days from the date of mailing such registered notices a hearing will be held before him in his office at Harrisburg Pennsylvania to determine whether such association is still doing business During the period between the mailing of such registered notices and the date of the hearing the Secretary of the Commonwealth shall cause an advertisement of the date and purpose of such hearing to be inserted for two successive weeks in at least one newspaper of general circulation in the county where the principal office of said association is located which shall constitute notice to all interested parties Such registered notices and such advertisement shall state that in the event no evidence is produced before the Secretary of the Commonwealth that such association is doing business the record of such hearing will be transmitted and certified to the Attorney General for the purpose of instituting proceedings for the involuntary winding up and dissolution of such association and to annual vacate and forfeit the articles of such association

At the hearing before the Secretary of the Commonwealth the Secretary of Agriculture or his deputy shall be sworn and shall give testimony regarding the failure of such association to file the summaries of audits]

[In the event that such association prior to the hearing shall have filed with the Secretary of Agriculture the summaries of audits for the preceding three years such proceedings shall then be dismissed without prejudice to such association

If testimony is presented at the hearing showing that such association is doing business such proceedings shall then be dismissed and if the officers of such association shall neglect or refuse to file such summaries of audits with the Secretary of Agriculture and with the Dean of the School of Agriculture as hereinbefore provided in this section within thirty days from the date of said hearing said officers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars ($300) or imprisonment for not more than six months or both at the direction of the court

In the event no testimony is presented to the Secretary of the Commonwealth that such association is doing business the Secretary of the Commonwealth shall certify and transmit the record of such hearing to the Attorney General who at the expense of the Commonwealth except as hereinafter provided shall institute involuntary proceedings for the winding up and dissolution of such association and to annual vacate or forfeit the articles of such association If in said involuntary proceedings said association shall appear in opposition thereto and shall show that it is solvent and doing business and the court shall dismiss the proceedings said dismissal shall be at the cost of such association In the event of such dismissal if the officers of such association shall neglect or refuse to file such summaries of audit with the Secretary of Agriculture and with the Dean of the School of Agriculture as hereinbefore provided in this section within thirty days from the date of such dismissal said officers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than three hundred dollars ($300) or imprisonment for not more than six months or both at the discretion of the court] No person shall without the consent of the association except for official purposes or in obedience to judicial process make or permit any disclosure whereby any information contained in said summary of audit may be identified as having been furnished by said association No person association copartnership or corporation or its or their agents employes or officers shall knowingly induce or attempt to induce any stockholder of an association organized hereunder to breach his marketing contract with the association nor maliciously and knowingly spread false reports about the finances or management thereof Any such person violating the prohibitions set forth in this section shall be guilty of a misdeameanor and upon conviction thereof shall be punished by a fine not more than three hundred dollars ($300) or imprisonment for not more than six months or both at the discretion of the court

Any association which for three successive years shall fail to file with the Secretary of Agriculture the summary of audits hereinbefore provided shall be notified by registered mail by the Secretary of Agriculture that such summaries must be filed within thirty days from the date of mailing such registered notice and that failure to so file shall result in annulment forfeiture and vacation of the articles and letters patent of such association In the event such association fails to file the summaries of audit within the period of thirty days the Secretary of Agriculture shall certify to the Governor that such association has failed to comply with the terms of this section The Governor shall thereupon by proclamation annul vacate and forfeit the articles of such association and the letters patent issued to such association whereupon the association shall cease and be determined saving however the right of the creditors and members in and to any property assets claims or demands of or belonging to such association

Any person or persons who shall exercise or attempt to exercise any powers privileges or franchises under articles of association which shall have been annuled vacated and forfeited hereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars ($300) or undergo imprisonment for not more than six months or both

The proclamation of the Governor annulling vacating and forfeiting the articles of association of any such association shall be recorded in the office of the Secretary of the Commonwealth and also in the office of the recorder of deeds in and for the county where the registered office of the association is situated as set forth in the articles of association and where it is different then also in the office of the recorder of deeds in and for the county where the principal place of business is situated Certified copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watson,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 581, as follows:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred ten thousand dollars ($110,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purpose of administering the provisions of the "Pennsylvania Hospital Survey and Construction Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-three and in addition to said amount all moneys received from the Federal Government and from other sources for such purposes shall be credited to the appropriation made by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McGinnis,	Toole,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Miller,	Walker,
Crowe,	Lane,	Pechan,	Watkins,
Dent,	Leader,	Peelor,	Watson,
Diehm,	Letzler,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	Wood,
Haluska,		Stevenson,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 589, as follows:

An Act to further amend Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second class" by increasing fees to be charged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-seventh day of March one thousand nine hundred twenty-nine (P. L. 84) entitled "An act to fix the fees to be charged by coroners in counties of the second lass" as amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 798) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the fees to be received and charged by coroners in counties of the second class in lieu of those now allowed by law shall be as follows viz

Viewing a dead body twelve dollars ($12.00)

Summoning inquest and returning inquisition six dollars ($6.00)

Summoning or subpoenaing each witness [one dollar and fifty cents ($1.50)] two dollars and fifty cents ($2.50)

Qualifying each witness [one dollar ($1.00] one dollar and fifty cents ($1.50)

Each mile circular traveled to be reckoned from the court house to the place of viewing the body ten cents

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 593, as follows:

An Act to establish a separate orphan's court in and for the County of Chester

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A separate orphan's court is hereby established in the County of Chester the name and style of which shall be the Orphan's Court of Chester County The court shall be a court of record and shall consist of one judge learned in the law

Section 2 The terms of the orphan's court shall be established by the judge thereof as he shall deem necessary and proper

Section 3 The court hereby created shall have and exercise all the jurisdiction and powers now vested in or which may hereafter be conferred upon the orphans' courts of this Commonwealth under and by virtue of the laws thereof

Section 4 The county commissioners of said county shall provide proper and suitable rooms in which the orphan's court shall be held and its business transacted and in which the records thereof shall be safely and securely kept

Section 5 At the municipal election to be held in one thousand nine hundred fifty-five a judge of the orphan's court shall be elected and duly commissioned to hold office from the first Monday of January next succeeding such election for the same term and in the same manner as the judges of the court of common pleas of the county The annual salary of said judge and the manner of payment shall be the same as is paid to the judges of the court of common pleas of said county

Section 6 The Governor is hereby authorized to appoint one competent person learned in the law as judge of said orphan's court to serve until the first Monday in January next succeeding the municipal election to be held in one thousand nine hundred fifty-five

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 596, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending the powers of cities relating to certain tunnels bridges and viaducts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighht day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended by adding imediately after clause 15 of Section 2403 thereof a new clause to read as follows

Section 2403 Specific Powers In Addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * *

15.1 Railroad Companies Conveyances and Grants of Rights of Way Subject to the provisions of the Public Utility Law to lease license or grant rights of way to railroad companies through tunnels or over bridges and viaducts to enter into agreements with railroad companies for the maintenance of any such tunnels bridges or viaducts and to convey such tunnels bridges or viaducts to railroad companies that have paid in part for their construction where legal title to said tunnels bridges or viaducts is not vested in the city but will vest in the city by operation of law or under the terms of any contract

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 597, as follows:

An Act to further amend the act approved the twenty-eight day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by extending the benefits to certain authorities created by such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes

of said cities and regulating the administration and the payment of such pensions" as amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 614) is hereby further amended to read as follows

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions which shall include all persons employed in any capacity by or holding position in an authority created by said cities except where such authority has in effect its own pension or retirement plan maintained without reference to the provisions of this act in which case such authority's pension or retirement plan shall be exclusive and such authority's employes shall not be entitled to any rights under this act and the words "city" or "cities" as used in sections three four five six seven eight ten eleven twelve and fourteen of this act shall be construed to mean "authority" or "authorities" so created where appropriate Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act

For the purposes of this act the solicitor and all employes of the office of the solicitor for delinquent real estate tax and water rate liens provided for by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 629) shall be regarded as persons employed by or holding positions in the cities included in the provisions of this act to the extent that they may if they so desire avail themselves of the benefits of the act to which this is an amendment by paying to the board of pensions monthly the amount provided for by said act

Section 2 Said act is hereby amended by adding after Section 14 thereof a new section to read as follows

Section 15 Every authority the employes of which are members of the pension fund as hereinabove provided for shall pay annually to the board of pensions an amount sufficient to reimburse the board of pensions for the amount of benefits paid employes of such authority as provided for by the act of which this amendment is a part after receiving credit for all contributions made to the pension fund by employes of such authority during such annual period Provided however That where an employe of any authority formerly worked for the city creating the authority the annual pension requirement or other benefits shall be prorated on the basis that the number of years such employe worked for the authority bears to total years of service in city and authority employment and the authority shall reimburse the board of pensions for that proportionate part of the pension or other benefits paid which the authority service bears to the total and the balance of annual pension requirements or other benefits shall be paid by such cities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 670, as follows:

An Act to prohibit operation of boats having a developed horsepower rating in excess of ten on Canadohta Lake in Crawford County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No boat equipped with a motor having a developed horsepower rating in excess of ten shall be operated on Canadohta Lake in Crawford County

Section 2 Any person violating the provisions of this act shall upon summary conviction be sentenced to pay a fine of not more than fifty dollars ($50) and costs of prosecution or in default of the payment thereof to undergo imprisonment for not more than twenty (20) days

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McCreesh,	Stiefel,
Barr,	Harney,	McCusker,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Lane,	McPherson, Jr.	Wade,
Camiel,	Kephart,	Miller,	Wagner,
Chapman,	Kessler,	Pechan,	Walker,
Crowe,	Kopriver, Jr.	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,			Presiding Officer

NAYS—1

McGinnis,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with inofrmation that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 796, as follows:

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals theerof and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 916 Malicious Injury to Property Whoever unlawfully and maliciously breaks injures or otherwise destroys or damages any part of any locomotive or stationary engine inclined plane engine house station or depot bridge culvert trestle work or other building or structure belonging to any railroad or wantonly and maliciously deranges or displaces the fixtures or machinery of any locomotive or stationary engine used or employed on any railroad or wilfully and maliciously destroys or injures any fence or wall cross road passing over or under such railroad or unlawfully and maliciously breaks injures or otherwise destroys or damages any of the posts wires or other materials or fixtures employed in the construction and use in any line of an electrical telegraph or telephone or wilfully and maliciously interferes with such structure so credited or in any way attempts to lead from its uses or make use of the electrical current or any portion thereof properly belonging to and in use or in readiness to be made use of for the purpose of communicating telegraphically or telephonically from one station of a telegraph or telephone company to another established station of the same or a connecting telegraph or telephone line or wilfully and maliciously breaks injures or otherwise destroys or damages any of the posts wires towers or other materials or fixtures employed in the construction and use in any line of a television co-ax cable or wilfully and maliciously interferes with such structure so erected or in any way attempts to lead from its uses or make use of the electrical signal or any portion thereof properly belonging to and in use or in readiness to be made use of for the purpose of using said electrical signal from any television co-ax cable company or owner of such property or unlawfully and maliciously breaks injures or otherwise destroys or damages any bridge river or meadow bank or mill dam or wilfully and maliciously takes down injures removes or in any manner damages or destroys any flag flag-staff beacon buoy or other way or water marks which now are or hereafter may be put erected or placed by lawful authority near or in any streams that are or may be declared public highways or unlawfully and maliciously cuts breaks or otherwise destroys any lead tin copper or iron spout affixed to any house or other building public or private or unlawfully and maliciously daubs paints or otherwise defaces any dwelling house is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or undergo imprisonment not exceeding twelve (12) months or both

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 530 Township Commissioners When a vacancy occurs in the office of township commissioner in any township by reason of death resignation removal from the township or ward or otherwise the board of township commissioners of such township shall fill such vacancy by appointing by resolution a registered voter of the ward or township as the case may be in which the vacancy occurs If the board of township commissioners of any township shall refuse fail or neglect or be unable for any reason whatsoever to fill such vacancy within thirty (30) days after the vacancy occurs then the court of quarter sessions shall upon the petition of twenty registered voters of the ward or township as the case may be in which the vacancy occurs appoint a registered voter of the township to fill the vacancy In either event the person so appointed shall hold office [until the first Monday of January succeeding the next muncipal election occurring at least sixty days after the happening of such vacancy at which election a township commissioner shall be elected] for the unexpired term of the person whose place he is [elected] appointed to fill

Section 532 Township Treasurer and Controller The board of township commissioners may fill any vacancy occurring in the office of township treasurer or township controller by death resignation removal from the township or otherwise The person so appointed shall hold office [until the first Monday of January succeeding the next municipal election occurring at least sixty days after the happening of such vacancy at which election a treasurer or controller shall be elected] for the unexpired term of the person whose place he is [elected] appointed to fill

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1077, as follows:

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding at the end thereof a new section to read as follows

Section 1110 Crime With Minor Under Eighteen as Accomplices Principal or Accessory Whoever being of the age of twenty-one years and upwards after having been convicted of the crime or attempt to commit the crime of treason murder voluntary manslaughter sodomy burglary entering with intent to steal larceny rape robbery arson mayhem kidnapping sale of narcotics perjury abortion pandering incest or any offense committed or attempted to be committed through the instrumentality of or with the aid of a deadly weapon or gunpowder or other explosive substances or corrosive fluid wherein a minor child under the age of eighteen (18) years is involved as a principle or as an accomplice or as accessory before or after the fact or as an associate may upon conviction of any of the aforementioned crimes be sentenced to imprisonment for a term the maximum of which shall not be more than twice the longest term otherwise prescribed by law upon a conviction of the crime in question

In all proceedings under the provisions of this section knowledge of the minor's age shall be presumed in the absence of proof of the contrary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McGinnis,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1078, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after Section 531 thereof a new section to read as follows

Section 532 Corrupting Morals of Children or Encouraging Children to Commit Crime or Violate Parole Whoever being of the age of twenty-one years and upwards by any act corrupts or tends to corrupt the morals of any child under the age of eighteen years or who aids abets entices or encourages any such child in the commission of any crime or who knowingly assists or encourages such child in violating his or her parole or any order of court is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) or undergo imprisonment not exceeding three (3) years or both

A conviction under the provisions of this section may be had whether or not the jurisdiction of any juvenile court has attached or shall thereafter attach to such child or whether or not such child has been adjudicated a delinquent or shall thereafter be adjudicated a delinquent

In trials and hearing upon charges of violating the provisions of this section knowledge of the minor's age and of the court's orders and decrees concerning such minor shall be presumed in the absence of proof to the contrary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1212, as follows:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every legal instrument heretofore executed by a fiduciary which sets forth in the body of the instrument the fiduciary capacity of the person executing the instrument and which has been executed in the manner prescribed by law in all respects except that in the signing or acknowledgment of the instrument or both the fiduciary capacity was not indicated is hereby made as good and valid and of the same effect as if property executed by the fiduciary

Section 2 The provisions of this act shall not apply to any matter heretofore adjudicated by a court of competent jurisdiction

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Hare,	McCusker,	Stiefel,
Barr,	Harney,	McGinnis,	Taylor,
Berger,	Holland,	McMenamin,	Toole,
Blass,	Kephart,	McPherson, Jr.	Wade,
Camiel,	Kessler,	Miller,	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Crowe,	Lane,	Peelor,	Watkins,
Dent,	Leader,	Propert,	Watson,
Diehm,	Letzler,	Ruth,	Weiner,
DiSilvestro,	Madigan,	Silvert,	Wolfe,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	Wood,
Haluska,	McCreesh,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

STUDENTS FROM MADERA SCHOOL, CLEARFIELD COUNTY, PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair wishes to note the presence of a group of students from the Madera School, of Clearfield County, accompanied by their teacher, Mr. Albert McGarry. They are the guests of Senator Letzler.

Will the guests of Senator Letzler please rise in place and take a bow?

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 38, Printer's No. 199, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Houes Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing for payment of costs in addition to compensation of solicitors and exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 1 (Sec. 11), page 3, line 8, by inserting after the word "clubs" the following: "or local associations."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 42, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 96, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting farm fish ponds and certain species of fish contained therein from the provisions of the Fish law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 236, entitled:

An Act designating certain banking institutions as additional loan and transfer agents of the Commonwealth and conferring powers and imposing duties upon such institutions and certain State officers with respect thereto.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 290, Printer's No. 255, and

House Bill No. 343, Printer's No. 128.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 402, entitled:

An Act relating to agreements, leases and other instruments granting anthracite rights, made or joined in by political subdivisions; providing for approval by the Secretary of Mines under certain conditions and rendering them otherwise void; providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions or of a taxpayer of such.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE, on behalf of Mr. WOOD, offered the following amendment:

Amend Sec. 2, page 2, line 13, by striking out "including welfare payments."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, and fifth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that Senate Bill No. 402, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 450, Printer's No. 178,

Senate Bill No. 451, Printer's No. 179, and

Senate Bill No. 452, Printer's No. 180.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 470, entitled:

An Act to add Section 626.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale or the possession of knives, the blade of which is released by a spring mechanism, including switch blades.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 497, Printer's No. 238, and

Senate Bill No. 523, Printer's No. 232.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 525, entitled:

An Act to amend the title and subsection (h) of section 2 of the act, approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing for protection against radiation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 2, page 2, line 20, by inserting after the figure "2" the following: "(a)"; Amend Sec. 2, page 3,

by inserting between lines 7 and 8 the following: "(b) Notwithstanding any other provision of law, it shall be lawful for any person, political subdivision, institution, or public or private corporation to renegotiate or alter or change any contract or any part of any contract with any person, firm or corporation deemed to be engaged in the business of feeding garbage, for the purpose of providing a just and equitable return on the added expense or investment to the person, firm or corporation deemed to be engaged in the business of feeding garbage, necessitated in fulfilling such contract due to the provisions of this act."

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HARE offered the following amendment:

Amend Title, page 1, line 3, by inserting after the word "swine" the following: "providing for renegotiating contracts or parts of such contracts made with persons engaged in such business".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 1100, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1334, Printer's No. 267, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 480 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 480, Printer's No. 209, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by defining certain terms imposing powers and duties on the Department of Welfare, providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children eliminating certain consent to adoption and further providing for hearings and investigatory powers of the court.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 6, by striking out brackets before "Be" and after "&c".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 2, (Sec. 1.1) page 10, line 20, by inserting after "petition": "is presented"; Amend Sec. 2, (Sec. 1.2) page 11, line 19 by inserting after "of": "an".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 14, by inserting between lines 15 and 16: "The consents required by subsection (d) of section two may be dispensed with by the court, if after hearing it finds that it is for the best interest of the child to do so; "Section 4. Said act is hereby amended by adding after Section 2.1 a new section to read as follows: "Section 2.2. Consents Not Naming Adoptive Parents. A consent to a specific proposed adoption, which meets all the requirements of this act, but which does not name or otherwise identify the adopting parent or parents, shall be valid: Provided, That such consent shall contain a statement by the person whose consent it is to the effect that such person voluntarily executed the consent without disclosure of the name or other identification of the adopting parent or parents."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 4, page 14, line 16, by striking out "4", where it appears the first time in said line, and inserting in lieu thereof: "5".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 5, page 18, line 18, by striking out "5" and inserting in lieu thereof: "6".

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 6, page 20, line 1, by striking out "6" and inserting in lieu thereof: "7".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 480, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept the disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 59, entitled:

An Act to further amend Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain aged persons hereafter placed in county homes eligible for assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 156, entitled:

An Act to further amend clause (b) of section 4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by providing that where the Commonwealth assigns to a third party, and lien or obligation secured for repayment of public assistance, the assignee can collect thereon only the amount he paid to the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 273, entitled:

An Act fixing the fees and mileage of the Coroner in counties of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 277, entitled:

An Act to further amend section thirteen of the act approved the twenty-eigdth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing

authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 361, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 956) entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes" by increasing certain fees and creating new fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 362, entitled:

An Act to further amend Section 1 of the act, approved the sixth day of May, one thousand eight hundred seventy-four (P. L. 125), entitled "An act regulating State tax on certain county offices," by increasing the maximum amount of fees that prothonotaries and clerks of courts may retain.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 363, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 364, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 365, entitled:

An Act providing for filing in the prothonotary's office of letters of attorney, authorizing acts related to instruments or judgments filed therein and revocations thereof; the establishment of a letter of attorney docket, and certifying copies and their admissibility in evidence; and prescribing fees and penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act to further amend Section 10 of the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by increasing the filing fee of conditional sales contracts in the prothonotary's office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 367, entitled:

An Act to further amend Section 9 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; describing the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by increasing the filing fee for chattel mortgages in the prothonotary's office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 496, entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming and interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concern-

ing the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure relating to incompetents' estates," by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 504, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act to amend the act, approved the twelfth day of June ,one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and chnaging the laws relating thereto," by permitting temporary restraint of one alleged to be mentally ill.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 563, entitled:

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May ,one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April, one thousand nine hundred fifty-three (P. L. 3) enittled An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, documentary letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel papers, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents ;and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof, excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 779, entitled:

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon

the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 970, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1101, entitled:

An Act providing for the administration of a statewide system of vital statistics prescribing the functions of the State Department of Health the State Advisory Health Board and local registrars imposing duties upon coroners prothonotaries clerks of orphans' court physicians midwives and other persons requiring reports and certificates for the registration of vital statistics regulating the disposition of dead bodies limiting the disclosure of records prescribing the sufficiency of vital statistics records as evidence prescribing fees and penalties and revising and consolidating teh laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12, of the act, approved the sixth day of April, one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by increasing the medium amount of interest and charges on loans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. MAHANY. Mr. President, we are waiting on the House to act on the realty transfer tax bill, which is now before them.

Therefore, Mr. President, I move that the Senate do now take a recess, pending the passage or non-passage of this bill by the House.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence a bill of the House, as follows:

House Bill No. 815, entitled:

An Act to reenact the title and reenact and further amend the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (1951-1952 P. L. 1742), entitled "The Realty Transfer Tax Act," by changing the definition of document and value, by increasing the compensation of agents and providing for the payment of premiums on bonds, by making further requirements in connection with affidavit of value, and extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

RECESS

Mr. MAHANY. Mr. President, on behalf of Senator Wood, I move that the Senate do now take a recess for five minutes for the purpose of holding a meeting of the Finance Committee.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

RECONSIDERATION OF SENATE CONCURRENT RESOLUTION

Mr. MAHANY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Concurrent Resolution, entitled "Time of Next Meeting" and introduced by Senator McCusker, passed the Senate today.

The Clerk read the resolution as follows:

TIME OF NEXT MEETING

In the Senate, May 26, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 1, at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week it reconvene on Monday, June 1, 1953 at three-thirty o'clock p. m., E. S. T.

The PRESIDING OFFICER. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. HARE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

The PRESIDING OFFICER. The resolution is laid on the table.

REPORT FROM COMMITTEE

Mr. HARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE, from the Committee on Finance, reported as committed House Bill No. 815, entitled:

An Act to reenact the title and reenact and further amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" by changing the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that House Bill No. 815 be read for the first time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 815, entitled:

An Act to reenact the title and reenact and further amend the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (1951-52 P. L. 1742), entitled "An act to provide revenue by imposing a State tax relating to certain documents; prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties," by changing the definition of document and value, by increasing the compensation of agents and providing for the payment of premiums on bonds, by making further requirements in connection with affidavit of value, and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 347

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 26, 1953.

Resolved, (if the Senate concur), That House Bill No. 347, Printer's No. 53, entitled:

An Act to further amend Section 1402 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by requiring sureties to also insure against loss of taxes in the hands of treasurers as a result of fire, burglary, larceny, theft, robbery, forgery or fraud.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, May 27, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:33 o'clock p. m., Eastern Standard Time, until Wednesday, May 27, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 26, 1953.

The House met at 11:00 a. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Grant to us, Lord, we beseech Thee, a clearer vision and a more steadfast will; save us from indolence that shrinks from labor, the carelessness which takes no heed of great issues, and the fear which will not face the tasks that seem too hard for us. Give us the Spirit of sacrifice that we may be willing to spend and be spent in the service of our fellowmen; through Jesus Christ our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Monday, May 25, 1953?

Mr. SCOTT. Mr. Speaker, I move that the approval of the Journal for Monday, May 25, 1953, be postponed until the Journal is in print.

The motion was agreed to

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have asked permission to address the House prior to the caucus which the majority Members will hold and prior to the caucus which the minority Members will hold.

My mission is to endeavor to assist in the recreation of a united Republican party with which it is possible to confer, and which has responsible leaders who can speak for the party with whom we can confer.

We will shortly have, I hope, a tax program on our third reading calendar. We do not propose to bleed, die and suffer in connection with that program without some assurance that if that program were enacted we would not some day read in the paper that His Excellency, the Governor, has felt compelled to veto a particular bill which passed the House with the aid of some wicked Democrats.

We have a right to know whether the majority party in presenting a program is presenting a program which will meet with the approval of His Excellency, the Governor.

Our General Assembly is composed of two chambers. I hear Senators say I will not support the truck that the House is proposing to send over. I will never vote for this or that. And we are not going to bleed, die and suffer here perhaps for weeks only to have our efforts rejected by the Senate.

If the Republican party is to deal with the minority, it must deal with responsible spokesmen, spokesmen who represent a definite constituency in the Senate and who are speaking with the approval of His Excellency, the Governor.

I want to congratulate the leadership of the majority. It has endeavored to present a tax program to this House, a tax program which the House in its considered judgment, rightly or wrongly, rejected. That program had no compulsion back of it so far as the Executive is concerned. That program had no compulsion back of it as far as responsible leaders in the Senate were concerned. The leadership of this House struggled alone, orphans. Unfortunately, in my mind they have struggled in behalf of the Pennsylvania Manufacturers Association who, on the showdown, could not deliver, but that is neither here nor there.

I have heard Members of the Senate, and I have heard Members of the House say, if we are going to dilly-dally, why, we are going home. I want to express my considered judgment that as we face the critical problems of this Session, the House in my opinion, in its considered judgment will send for the Members of this House who voluntarily and as a matter of purpose absent themselves from this Session while we are trying to grapple with the problems that face us.

I am not going to stay here as the alleged leader of a corporal's guard, and the Majority Leader is very foolish if he stays on the job as the alleged leader of a corporal's guard.

I will join with him, and I hope he joins with me in seeing when we face our critical problems that we have a responsible membership in their seats.

And so we are saying to the majority that we cannot continue to confer with a Majority Leader who does not represent His Excellency, the Governor. We cannot continue to confer with a Majority Leader who does not have his grass roots in the Senate, and who can say after he has struggled to put a program across whether that program will survive.

I am not going to go out on a limb as an individual trying to get a few votes—that is what I will do for measures upon which the majority party is agreed, if at all within reason—do that and have the Governor strike down the bill, and have the Senate strike down the bill. We have a right, I repeat, to confer with the representatives of a reunited Republican party that knows what it wants to do.

I know that the majority party is being bedeviled by powerful interests. Business is on the warpath: "You must not tax business. You must not tax profits." Other interests are out saying, "The tax program is all right if it does not tax us."

We face a situation dominated not by interests that want to cooperate with the problems we face, but interests that are trying to make certain that the expenses necessary for our government are shifted to other shoulders.

Incidentally I want to say that I have never sympathized with a crusade against taxes as taxes. We have had a crusade in this country design to stamp taxes as something evil. The Commonwealth of Pennsylvania has not been spending too much money. Taxes mean hospitals, they mean schools, they mean mental institutions. The tax dollar is a blessed dollar used wisely.

People that would cut a budget with a chisel, eliminating necessary and essential services in the interest of economy and to the affront of the instincts of humanity do not deserve the consideration of this House.

So I hope that the Majority leadership will persevere in its efforts and get a tax package on the third reading calendar. Then when there is someone authorized to speak for a reunited functioning Republican party I will try and find someone authorized to speak to him or to them.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, it is true that this has been a prolonged Session. It has turned out to be a revenue-raising session. The watchword has been revenue, revenue, revenue. Balance this budget.

I agree with the Minority Leader. We on this side of the House did our best to put across a broad-base tax which would settle once and for all our financial difficulties and give the average guy an opportunity to step in line and help to pay for the services which we are rendering to the people of Pennsylvania.

As I said before, the proposition failed, and it was not that we of the leadership and everybody on this side of the House did not do their very best to try to put over this broadbase tax. It would have been something new in Pennsylvania, because it has been the policy in Pennsylvania, no matter which party was in power, to engage in and put on the usual patch-work type of taxes. It is not a sound program.

The tax package that we have, the taxing that we do in Pennsylvania is nearly all pegged to profit and prosperity which is a dangerous thing for a great state like Pennsylvania that faces so many needs and so many problems and has asumed so many financial obligations, the least of which is not the $500 million bonus issue that the people of Pennsylvania voted at the election two years ago.

I want to say that I have appreciated the loyalty of the membership on this side of the House. They have been patient; they have stood by the leadership so far through thick and thin.

We have finally had to come up with an alternative tax program. It is on our calendar. Today we are going to ask that one particular bill be approved and sent to the Senate so that it can be enacted into law before it expires on the 31st of May. That is the Real Estate Transfer Tax. That has proven to be an excelent money-raiser and a tax with which there is not too much trouble right now. There is not too much antagonism against that particular tax in Pennsylvania.

We are going to endeavor to offer amendments to some of the other tax measures that are on the calendar. We hope to have it on third reading tomorrow.

The Minority Leader says "I want assurance that the Senate will buy the package and that his Excellency, the Governor, will sign it." He is thinking of the same proposition that we of the majority always face in respect to taxes. That is the first question which is always raised in our caucus, will the Senate go along and will the Governor sign the bill?

Well, on the sales tax I want to say that we had what we thought was a firm assurance from the Senate that the one percent sales tax would pass the Senate. While we did not have a strong commitment from the Governor, as far as the sales tax was concerned, we felt that if we put a broad base tax on his desk which he has repeatedly said we must have in Pennsylvania, he would have signed that particular broad base tax.

The request of the Minority Leader is a fair request, and I of the leadership hope tomorrow, we will have these bills on third reading, and be able to say to him, "These particular taxes will ride and will be put on the Governor's desk. He will sign them." I think it is a fair request.

As I say, it is amusing to me that finally there has been driven back home to him, the fact that we have a coordinate body on the other side that we must deal with and that we also have His Excellency, The Governor, to deal with in any program. That is our system of checks and balances in our democratic form of government, which I think is a good one, and it is one that we must work with and within its framework.

These taxes that are on the calendar are, with the exception of the unincorporated business tax, within the framework of our previous taxing efforts. We have had experience with them. Many of them are readily collectible. I say it is not a bad alternative tax program. It is not one that we can be proud of, shall I say, but it is the best that we can come up with at this time. Therefore, we are soon going to caucus, and I am going to ask the membership to stand back of us on this package. We hope the gentlemen on the other side will be able to go along, so that we can all get together and put this budget over and then say to the people of Pennsylvania "We have all stood together; we are all Pennsylvanians." It was our job, with a divided House as we have at the present time to do this job. So you will hear more from this side of the House tomorrow on this program.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address House.

Mr. Speaker, the Majority Leader and the Members of the House will please understand that I do not travel around with the votes of the Democratic House caucus in my pocket; nor can I expect, nor can he expect that in the course of a few hours we can resolve problems that have occupied the attention of the Majority leaders for weeks.

I do not believe it will be possible by tomorrow for the Majority Leader to have ascertained exactly how many votes he has for particular new taxes that may be on the calendar. The number of votes the Majority Leader has for particular taxes will naturally be a matter of concern to the members of the Minority caucus.

I am personally in agreement, and I hape the Democratic Caucus will by a very substantial majority be in agreement, that those taxes now a part of our tax structure should be reenacted, all of them. That is my personal opinion. They are integrated in our tax structure. If we do not reenact them, we must find new money in additional directions. We are having a great deal of difficulty in finding posible sources of new money without adding the additional burden of failing to continue taxes now on the statute books.

I ask the Majority Leader, as far as new taxes are concerned, to give us some chance for consultation with the members of our caucus and various persons of influence.

If the Republican caucus would give the Majority Leader power of attorney, and the Minority caucus would give the Minority Leader power of attorney, I have no doubt that instead of laboring here for months or weeks, that within a week, so far as this House is concerned, we could get somewhere.

I do not hold power of attorney as far as the minority is concerned. I frequently come before you bruised and battered and kicked around, and I have seen the signs of serious wounds upon the spirit of the Majority Leader.

I want to say to the Republican caucus, and I want to say to the Democratic caucus that if you are going to take control of the situation wholly out of the hands of your respective leadership, you will be here for months.

The caucuses must eventually recognize that we must speak through accredited spokesmen. If the Republican caucus wants to take the situation out of the hands of its leaders, and the Democratic caucus wants to take the situation wholly out of the hands of its leader, I think we will be here until the frost has withered the corn and seasoned the pumpkin.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, I continually hear in this House about a broad base tax. We are a little late on a broad base tax, possibly a couple of years late.

I think if you go over the state of Pennsylvania, into the different municipalities and school districts, you will find that there is a broad base tax all right. Most of them have them, and those that do not have them will soon have them, because every session of the Legislature we make it possible that more of those municipalities or townships have the opportunity to enact this broad base tax that we talk about here year afer year.

Our people are paying a broad base tax. Any broad base tax you put on them now will be a double broad base tax. We dilly-dallied, sure. We have had recommendations from the Joint State Government Commission to trot out the graduated income tax amendment to the Constitution. It never gets anywhere.

I have heard speeches in this House that during this Session next week we are going to bring one out; we are going to pass it; we are going to give the people an opportunity. That time never comes.

I am interested. I want to be agreeable. I want to help.

I want to say to you that the special interests of the state of Pennsylvania are not paying their fair share. When you talk about corporation tax and other tax, the people of Pennsylvania who work for the corporations pay that tax to a certain extent.

So, let us not kid ourselves. Let us be fair and honest and frank. Bring out the graduated income tax. Show the people that you are sincere and that you want to do the right thing. Do not continually try to protect the special interests of the state of Pennsylvania that really and truly have the money to pay the tax bills.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McCULLOUGH asked and obtained permission for the Committee on Agriculture and Dairy Industry to meet during the session of the House.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, is there any Committee of this House that has not as yet held a meeting?

The SPEAKER. The information the Chair has is that all of the Committees have met for the purpose of organization. The Chair has not been informed whether or not they have met after their original or primary meeting.

Mr. ANDREWS. Mr. Speaker, when can we have information concerning the Committees that have not met for the consideration of measures pending in their custody.

The SPEAKER. For the information of the gentleman, the Chair will have to get that information from the Chairmen of the Committees, and he will endeavor to do so as promptly as possible.

Mr. ANDREWS. I thank the Chair. We would like to have a report by tomorrow, if we meet tomorrow.

The SPEAKER. The Chair will endeavor to get the information for the gentleman.

STUDENTS OF ROBERTSDALE SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the sixth and seventh grades of the Robertsdale School, Huntingdon County, under the supervision of their teachers, Mrs. Donald McIntyre and Mr. Oscar Shope. They are guests of the gentleman from Huntingdon, Mr. Banker.

STUDENTS OF ALTOONA EAST END SCHOOL WELCOMED

The SPEAKER. We also have with us today, and the Chair welcomes them to the House, pupils from the sixth grade of the East End School, Altoona, under the supervision of their teacher, Miss Emma Geig. They are the guests of the gentleman from Blair, Mr. Auker.

SOCIAL SCIENCE CLUB WELCOMED

The SPEAKER. The Chair also welcomes to the House members of the Social Science Club of West Fallowfield Township, Chester County, under the direction of Mr. William Bittle and Mrs. Maule. They are the guests of the gentleman from Chester, Mr. Brown.

BILLS INTRODUCED AND REFERRED

By Messrs. PAUL G. MURRAY, ROYER and FROST. HOUSE BILL No. 1378.

An Act permitting charitable organizations, churches, volunteer fire companies and veterans' organizations to conduct the playing of the game of bingo when the proceeds thereof are used exclusively for the purposes of such organizations.

Referred to the Committee on Law and Order.

By Messrs. PRICE and BUCHANAN. HOUSE BILL No. 1379.

An Act to amend Section 1068 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing travel cost estimates.

Referred to the Committee on Education.

By Messrs. SHOEMAKER and WHEELER.
HOUSE BILL No. 1380.

An Act to further amend Section 1 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of mine inspectors.

Referred to the Committee on Appropriations.

By Messrs. SHOEMAKER and WHEELER.
HOUSE BILL No. 1381.

An Act to further amend Section 4 of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qaulifications; providing for the purchase of trucks and necessary equipment to carry on the work; and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors.

Referred to the Committee on Appropriations.

By Messrs. SHOEMAKER and WHEELER.
HOUSE BILL No. 1382.

An Act to further amend section 2 of the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

Referred to the Committee on Appropriations.

By Mr. PAUL G. MURRAY. HOUSE BILL No. 1383.

An Act to further amend Section 4305 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further providing for appropriations by such cities to official police pension funds.

Referred to the Committee on Cities—Third Class.

By Messrs. VAUGHAN and SCHUSTER.
HOUSE BILL No. 1384.

An Act to amend the title and the act, approved the twenty-fifth day of April, one thousand nine hundred thirty-five (P. L. 82), entitled "An act requiring certain cities to allow members of the fire department twenty-four consecutive hours of rest each week and fourteen vacation each year, except in emergency cases," by changing the provision thereof relating to annual vacations.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

By Mr. McCORMACK. HOUSE BILL No. 1385.

An Act to amend Section 6 and 16 of the act, approved the twenty-first day of April, one thousand nine hundred forty-nine (P. L. 665), entitled "An act to carry into effect section one of article fifteen of the Constitution, giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of election, courts and the Secretary of the Commonwealth; and providing for the payment of certain expenses by such cities; and imposing penalties," by further regulating the adoption of and amendments to such charters.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

By Messrs. WILLIAM B. SMITH, ROBERT K. HAMILTON and STONE. HOUSE BILL No. 1386.

An Act to add Section 664.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by penalizing use of other than Diesel powered locomotives to move trains under certain circumstances.

Referred to the Commitee on Railroads and Railways.

By Mr. BOLTON. HOUSE BILL No. 1387.

An Act to amend clause (a) of section 201 of the act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes, providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by subjecting all railroad real property including rights of way to taxation.

Referred to the Committee on Municipal Corporations.

By Mr. BOLTON. HOUSE BILL No. 1388.

An Act to amend clause (a) of section two hundred one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subject of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by subjecting all railroad real property including rights of way, to taxation.

Referred to the Committee on Municipal Corporations.

By Mr. TOMPKINS. HOUSE BILL No. 1389.

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes to be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further defining "labor organizations" and imposing duties thereon.

Referred to the Committee on Labor Relations.

By Messrs. VARNER and HERSCH.
HOUSE BILL No. 1390.

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forgeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers, and semi-trailers; prescribing additional equipment requirements for certain vehicles; changing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; prescribing and changing penalties; providing for confiscation and sale of vehicles and the divertiture of titles, liens and encumbrances, in default of payment of certain fines, and for disposition of their loads, and imposing duties upon operators, owners, magistrates and sheriffs; changing the provisions for signs upon restricted highways; and changing the disposition of fines and penalties for violations of restrictions upon such highways.

Referred to the Committee on Motor Vehicles.

By Messrs. GLICK and WILBUR H. HAMILTON.
HOUSE BILL No. 1391.

An Act fixing the salary of city commissioners in cities of the first class.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

By Mr. VAUGHAN. HOUSE BILL No. 1392.

An Act to further amend the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired, and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees, and providing for the payment of certain dues, fees, assessments, fines, and appropriations therto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations, or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," by further prescribing the amount of contribution to be paid by members of the fund and the pension payments to be made to beneficiaries.

Referred to the Committee on Cities—Counties—First—Second and Second Class A.

By Messrs. ZIEGLER and OGILVIE.
HOUSE BILL No. 1393.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing the appointment of a deputy city treasurer and prescribing his powers and duties.

Referred to the Committee on Cities—Third Class.

By Mr. KLINE. HOUSE BILL No. 1394.

An Act making an appropriation to the State Insurance Fund for the purpose of replacing property destroyed by fire or other casualty.

Referred to the Committee on Appropriations.

By Mr. KLINE. HOUSE BILL No. 1395.

An Act to further amend the act, approved the twenty-fifth day of June, one thousand nine hundred hirty-seven (P. L. 2063), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and

departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by making life insurance companies doing business in this Commonwealth subject to the provisions of said act, but exempting therefrom unclaimed funds and proceeds due and payable under life and endowment insurance policies and annuity contracts held and owing by life insurance companies doing business in this Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. KLINE. HOUSE BILL No. 1396.

An Act providing for the acquisition, construction, improvement, operation, and maintenance of tunnels for certain highway purposes within the Commonwealth; authorizing the issuance of tunnel revenue bonds, free from taxation and payable solely from tunnel earnings, to pay the cost of such tunnels and improvements thereof; providing for the collection of tunnel tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the tunnels; constituting such bonds legal investments in certain instances, prescribing conditions upon which such tunnels shall become free tunnels; conferring powers and imposing duties on the Pennsylvania Tunnel Commission created hereby; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation.

Referred to the Committee on Highways.

By Mr. PETROSKY. HOUSE BILL No. 1397.

An Act to further amend Clause (b) of Section 402 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), enittled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with peronel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing that the separation of an employe at age sixty or thereafter pursuant to a pension plan shall be deemed a separation for good cause.

Referred to the Committee on Workmen's Compensation.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 165.

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act of 1947"

Referred to the Committee on Military Affairs.

SENATE BILL No. 258.

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457) (No. 108) entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders, solicitors and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by redefining the term, share certificate, and further providing for the issuance and preservation of share certificates

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 310.

An Act to amend the title and further amend clause (h) of subsection B of section four of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by extending to the Public Utility Commission jurisdiction over rates, service and facilities of public utilities served by authorities or their agents beyond the limits of the municipalities.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 446.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

Referred to the Committee on Insurance.

SENATE BILL No. 447.

An Act to amend the act, approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to

write insurance under the Pennsylvania Occupational Disease Act.

Referred to the Committee on Insurance.

SENATE BILL No. 528.

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, directly or indirectly furnishing materials and articles to home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. VAUGHAN. RESOLUTION No. 59.

In the House of Representatives, May 25, 1953.

The seizure while at work at the Hazelwood plant of Jones and Laughlin Steel Corporation of former Sergeant Robert W. Toth by military police on a charge of murder was a flagrantly unconstitutional infringement of the rights of a civilian by the military authorities.

Mr. Toth was taken immediately after his arrest while at work, to the Greater Pittsburgh Airport and placed on a Korea-bound plane, without being given a chance to see his family, and as far as is known without being informed of the charges against him.

Execution of the laws, both military and civilian have, since the founding of this nation, been in conformity with long established precedents guaranteeing the right of the individual to a fair and just trial and without fear of highhanded, unfair gestapo methods employed by communist, nazi and fascist nations in suppressing the basic rights of humans caught within their greedy clutches, in their insatiable lust for supreme power over the individual, and their desire to make individuals faceless and unimportant cogs in the totalitarian police States.

The arrest of Robert W. Toth without proof of reasonable cause was an attempt to subordinate the civil population to military discipline without any need therefor, and in direct contravention of the requirements of due process of law and in violation of the long standing American tradition of subordination of the military to civilian authority.

If the gestapo methods used in the arrest of Mr. Toth are permitted to go unchallenged and without correction, this nation will have gone far on the road towards a totalitarian government dominated by a military establishment in no way restricted in its power to dominate and infringe upon the basic rights of all citizens and residents of this country; therefore be it

Resolved, That this House of Representatives hereby protests against the manner, method and procedure used by the United States Military Police in the apprehension and arrest of Robert Toth, formerly of the United States Air Force, and the holder of a bronze star and an honorable discharge from the military service; and be it further

Resolved, That this House of Representatives hereby requests the President of the United States and the Senate of the United States to conduct and investigation into the actions complained of in this resolution and to take necessary corrective measures; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States, the Senate of the United States and to Mrs. Jacob Mertz, mother of Robert W. Toth.

Referred to the Committee on Rules.

REPORT OF BOARD OF DIRECTORS OF CITY TRUSTS OF PHILADELPHIA

The SPEAKER laid before the House the Report of the Board of City Trusts in the City of Philadelphia to the Legislature of the Commonwealth of Pennsylvania for the year 1952.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 13.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the poll tax to a residence tax.

HOUSE BILL No. 513.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

HOUSE BILL No. 817.

An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" by extending the provisions of the additional tax for a limited time.

HOUSE BILL No. 818.

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time.

HOUSE BILL No. 819.

An Act to further amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amnded "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for a generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

HOUSE BILL No. 1009.

An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission.

HOUSE BILL No. 1075.

An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by requiring the Pennsylvana Game Commission to pay certain unrecovered costs of suit.

HOUSE BILL No. 1079.

An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing the procedure of reviewing cases where licenses have been revoked of resident licenses.

SENATE BILL No. 68.

An Act to amend the title and to further amend the act, approved the seventeenth day of June, one thousand nine hundred fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by increasing the maximum loan to six hundred ($600) dollars, fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans.

SENATE BILL No. 354.

An Act to add clause (15) to Section 14 of the act, approved the twenty-fourth day of April, one thousand nine hundred forty-seven (P. L. 89) entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills, to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment.

SENATE BILL No. 391.

An Act to further amend subsection (e) of section 608 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages, caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing applicant and operators license requirements.

SENATE BILL No. 474.

An Act to further amend Section one of the act, approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318), entitled "An act to regulate the sale and possession of penicillium (penicillin), and its derivatives, preparations and compounds in the the interest of public health," by providing certain exceptions to said act.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. WHITE from the Committee on Municipal Corporations, reported as amended, House Bill No. 151, entitled:

An Act providing for the establishment of police pension funds in boroughs, towns, and townships and the regulation and maintenance thereof, providing for continuance of existing funds or transfer thereof to funds herein established, prescribing rights of beneficiaries, and repealing certain acts.

Mr. AUCKER from the Committee on Municipal Corporations, reported as committed, House Bill No. 866, entitled:

An Act to further amend section 6 of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county, abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by providing that the assessed valuation of property shall be based upon an established predetermined ratio of its actual value.

Mrs. MONROE from the Committee on Welfare, reported as committed, House Bill No. 946, entitled:

An Act to amend clause (e) of and to add clause (e.1) to Section 401 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by providing for the care of seniles on leave of absence from State mental hospitals; and eliminating certain obsolete provisions.

Mr. McGEE from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1001, entitled:

An Act to amend paragraph (a) of section eleven of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by requiring certain redevelopers to reimburse public utilities for the costs of removing altering, constructing, reconstructing, locating, relocating, or otherwise changing their facilities in certain cases.

Mr. DOWN from the Committee on Welfare, reported as committed, House Bill No. 1257, entitled:

An Act providing for compliance with Federal Laws and the approval of certain institutions; providing for inspections of such institutions; conferring powers and imposing duties on the Department of Welfare; and imposing penalties.

Mr. CIANFRANI from the Committee on Municipal Corporations, reported as committed, House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by requiring bonding companies as sureties on bonds of tax collectors.

Mr. SPENCER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1336, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property and occupations for county, borough, town, township, school and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the aceptance of this act by cities," by further defining the manner of making assessments and regulating appeals.

Mr. WEIDNER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1350, entitled:

An Act to amend subsections B and C of Section 7 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizng such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by requiring members to serve without compensation and the treasurer to post a bond.

Mr. GOODLING from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 439, entitled:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes, and for the control of the stem rust disease of wheat, oats, barley and rye upon request of county commissioners, and authorizing the Department of Agriculture to establish regulations therefor.

Mr. GEORGE E. JONES from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing

storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rule regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

RECESS

The SPEAKER. Without objection, the Chair will at this time declare a recess for one hour for the purpose of holding a Republican and Democratic caucuses. The Chair hears none and a recess is declared.

Will the Members please go immediately to the respective caucus rooms so that the caucuses can start immediately.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER. (Charles C. Smith) in the Chair.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL No. 347 FROM SENATE

Mr. VAN SANT asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 26, 1953.

Resolved (if the Senate concur), That House Bill No. 347, Printer's No. 53, entitled "An act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery forgery or fraud," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE BILL 815 MADE SPECIAL ORDER

Mr. JOHNSON. Mr. Speaker, I move that House Bill 815 Printer's No. 98 on page 16 of today's calendar, bills on third reading, be made a special order of business immediately.

The motion was agreed to.

SPECIAL ORDER

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 815, as follows:

An Act to reenact the title and reenact and further amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" by changing the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all sections of the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents pescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" are hereby reenacted and further amended to read as follows

An Act

To provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

Section 1 Short Title This act shall be known and may be cited as "The Realty Transfer Tax Act"

Section 2 The following words when used in this act shall have meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons

"Coporation" A corporation or joint-stock asssciation organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency including but not limited to banking institutions

"Department" The Department of Revenue of this Commonwealth

"Document" Any deed instrument or writing whereby any lands tenements or hereditaments within this Commonwealth or any interest therein shall be granted bargained sold or otherwise conveyed to the grantee purchaser or any other person but does not include wills

mortgages transfers between husband and wife transfers between parent and child or the spouse of such child and leases

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Value" In the case of any document granting bargaining selling or otherwise conveying any land tenement or hereditament or interest therein the amount of the actual consideration therefor including liens or other encumbrances thereon and ground rents or a commensurate part of the liens or other encumbrances thereon and ground rents when such liens or other encumbrances and ground rents also encumber or are charged against other lands tenements or hereditaments Provided That where such document shall set forth a small or nominal consideration the "value" thereof shall be determined from the price set forth in or actual consideraton for the contract of sale of in the case of a gift from the actual monetary worth of the property granted bargained sold or otherwise conveyed which in either event shall not be less than the amount of the highest assessment of such lands tenements or hereditaments for local tax purposes

Section 3 Every person who makes executes issues delivers or accepts any document or in whose behalf any document is made executed issued delivered or accepted shall be subject to pay for and in respect thereof or for or in respect of the vellum parchment or paper upon which such document is written or printed a State tax at the rate of one (1) percentum of the value of the property represented by such document which State tax shall be payable at the time of making execution issuance delivery or acceptance of such document

Section 4 The payment of the tax imposed by this act shall be evidenced by the fixing of a documentary stamp or stamps to every document by the person making executing issuing or delivering such document Such stamps shall be affixed in such manner that their removal will require the continued application of steam or water and the person using or affixing such stamps shall write or stamp or cause to be written or stamped thereon the initials of his name and the date upon which such stamps are affixed or used so that such stamps may not again be used Provided That the department may prescribe such other method of cancellation as it may deem expedient

Section 5 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places as it may deem necesary

The department may appoint recorders of deeds or other persons within or without the Commonwealth as agents in accordance with the provisions of The Fiscal Code the act of April 9 1929 P. L. 343 as amended for the sale of stamps to be used in paying the tax herein imposed upon documents and may allow a commission to said agents of [one-half of] one percent of the face value of the stamps The department shall pay the premium or premiums on any bond or bonds required by law to be procured by any agent for the performance of his duties under this act

All moneys paid into the State Treasury during the effective period of this act shall be credited to the General Fund

Section 6 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and means to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this act

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 7 No document upon which tax is imposed by this act shall be made the basis of any action or other legal proceeding nor shall proof thereof be offered or received in evidence in any court of this Commonwealth or recorded in the office of any recorder of deeds of any county of this Commonwealth unless a documentary stamp or stamps as provided in this act have been affixed thereto

Section 8 Every document [upon which tax is imposed by this act] when lodged with or presented to any recorder of deeds in this Commonwealth for recording shall set forth therein and as a part of such document the true full and complete value thereof or shall be accompanied by an affidavit executed by a responsible person connected with the transaction showing such connection and setting forth the true full and complete value thereof or the reason if any why such document is not subject to tax under this act

Any such recorder of deeds who shall record any document upon which tax is imposed by this act without the proper documentary stamp or stamps affixed thereto as required by this act as is indicated in such document or accompanying affidavit shall upon summary conviction before any magistrate alderman or justice of the peace or other officer having the powers of a committing magistrate be sentenced to pay a fine of fifty dollars ($50.00) and costs of prosecution and in default of payment thereof undergo imprisonment for not more than thirty (30) days Provided That when any document shall have been recorded it shall be presumed that all requirements of law affecting the title to any real property conveyed thereby have been complied with

Section 9 (a) It shall be unlawful for any person to

1 Make execute issue deliver or accept or cause to be made executed issued delivered or accepted any document without the full amount of tax thereon being duly paid or

2 Make use of any documentary stamp to denote payment of any tax imposed by this act without cancelling such stamp as required by this act or as prescribed by the department or

3 Fail neglect or refuse to comply with or violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act

Any person violating any of the povisions of this subsection (a) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) and costs of prosecution or to undergo imprisonment of not more than ninety (90) days or both in the discretion of the court (b) It shall be unlawful for any person to

1 Fraudulently cut tear or remove from a document any documentary stamp or

2 Fraudulently affix to any document upon which tax is imposed by this act any documentary stamp which has been cut torn or removed from any other document upon which tax is imposed by this act or any documentary stamp of insufficient value or any forged or counterfeited stamp or any impression of any forged or counterfeited stamp die plate or other article or

3 Wilfully remove or alter the cancellation marks of any documentary stamp or restore any such documentary stamp with intent to use or cause the same to be used after it has already been used or knowingly buy sell offer for sale or give away any such altered or restored stamp to any person for use or knowingly use the same or

4 Knowingly have in his possession any altered or restored documentary stamp which has been removed from any document upon which tax is imposed by this act Provided That the possession of such stamps shall be prima facie evidence of an intent to violate the provisions of this clause or

5 Knowingly or wilfully prepare keep sell offer for sale or have in his possession any forged or counterfeited documentary stamps

Any person violating any of the povisions of this subsection (b) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1000.00) and costs of prosecution

or to undergo imprisonment for not more than five (5) years or both in the discretion of the court

Section 10 Notwithstanding anything contained in any law to the contrary the validity of any ordinance or part of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by any political subdivision providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act

Section 11 This act shall become effective the first day of February one thousand nine hundred fifty-two and shall remain in force until and including the thirty-first day of May [one thousand nine hundred fifty-three] one thousand nine hundred fifty-five

Section 2 This reenacting and amending act shall become effective the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—119

Andrews,	Gleason,	Mahan,	Schuster,
Ashton,	Goodling,	Markley,	Scott,
Banker,	Gramlich,	Mathews,	Shoemaker,
Barkdoll,	Greenwood,	McCullough,	Shotwell,
Bear,	Gutendorf,	McInroy,	Snider,
Blair,	Guthrie,	Metz,	Spencer,
Bolton,	Hall,	Mihm,	Stevenson,
Bower,	Hamilton, W. H.,	Mikula,	Stimmel,
Breisch,	Helm,	Miller,	Stoner,
Breth,	Hewitt,	Moody,	Strausser,
Brown,	Hocker,	Moore,	Thompson,
Buchanan,	Ide,	Moscrip,	Tompkins,
Bullen,	Johnson,	Murray, P. G.,	Toomey,
Capano,	Jones, Geo. E.,	Naugle,	VanSant,
Clapper,	Jones, Paul F.,	Ogilvie,	Varner,
Connelly,	Jones, T. H. W.,	Olsen,	Vaughan,
Davis,	Jump,	Peifly,	Wall,
Downey,	Kamyk,	Petrosky,	Waterhouse,
DuBois,	Keller,	Phillips,	Weidner,
Dunn,	Kent,	Polen,	Wescott,
Ewing,	Kerlin,	Price,	Whalley,
Fenrich,	Kohl,	Quisenberry,	Wheeler,
Ferster,	Kornick,	Ragot,	Whitenight,
Filo,	Kratz,	Readinger,	Willaredt,
Flack,	Kromer,	Reagan,	Williams,
Fleischman,	Kubacki,	Richter,	Wood,
Flynn,	Lafore,	Rovansek,	Worley,
Frost,	Leisey,	Royer,	Yeakel,
Gibson,	Light,	Rubin,	Ziegler,
	Lippincott,	Sarraf,	Smith, C. C., Speaker

NAYS—72

Alexander,	Hamilton, R. K.,	McGee,	Schwartz,
Auker,	Harris,	McWherter,	Seyler,
Bazin,	Haudenshield,	Mills,	Smith, W. B.,
Boory,	Hersch,	Monroe,	Stank,
Bucchin,	Jenkins,	Moran,	Stone,
Cioffi,	Jim,	Muldowney,	Sucher,
Comer,	Jones, Gran'le E.	Munley,	Taylor,
Conner,	Kolankiewicz,	Murray, J. J.,	Toll,
Cooper,	Lederer,	Musto,	Varallo,
Coyle,	Leonard,	Needham,	Wallace,
Curwood,	Leven,	Parlante,	Walsh,
Dougherty,	Limper,	Peta,	Wargo,
Down,	Lopresti,	Pfaff,	Welsh,
Erb,	Lovett,	Polaski,	White,
Floyd,	Maguire,	Poltenstein,	Wilt,
Geer,	Maxwell,	Reidenbach,	Yetzer,
Glick,	McCann,	Rosen,	Young,
Guss,	McCormack,	Schmidt,	Zeitz,

NOT VOTING—16

Adam,	Bomberger,	Hoggard,	Pettigrew,
Amarando,	Cianfrani,	Kline,	Thomas,
Baumunk,	Cochran,	Lutty,	Verona,
Boles,	Farabaugh,	McDermit,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 328, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by prohibiting the sale of liquor and malt or brewed beverages on certain holidays.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. GEER. Mr. Speaker, I rise to oppose the motion to recommit. This bill has been on the calendar for a conseiderable length of time. It is not as though it just popped up. The Members have all been apprised of its existence and I feel since it is only asking for three days in the year that all liquor establishments be closed and those being the basic and main religious holidays in this Commonwealth and in our Christian world that this bill should be opposed for recommitment. And I ask, Mr. Speaker, for a roll call vote.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. GEER and Mr. WILT.

A verification of the roll was requested by Messrs. Geer and Wilt.

The roll was verified and was as follows:

YEAS—114

Adam,	Gibson,	Maxwell,	Rovansek,
Alexander,	Glick,	McCann,	Royer,
Amarando,	Guss,	McDermit,	Sarraf,
Andrews,	Hamilton, R. K.,	McGee,	Schmidt,
Baumunk,	Harris,	Metz,	Schuster,
Bazin,	Hersch,	Mihm,	Schwartz,
Blair,	Jenkins,	Mills,	Seyler,
Boory,	Jim,	Monroe,	Smith, W. B.,
Bower,	Jones, Gran'le E.,	Moran,	Snider,
Breth,	Jones, Paul F.,	Moscrip,	Stank,
Bucchin,	Jones, T. H. W.,	Munley,	Stimmel,

Capano,	Jump,	Murray, J. J.,	Stone,
Cioffi,	Kamyk,	Murray, P. G.,	Stoner,
Comer,	Kohl,	Musto,	Taylor,
Connelly,	Kolankiewicz,	Naugle,	Toll,
Conner,	Kornick,	Needham,	VanSant,
Coyle,	Kubacki,	Olsen,	Varallo,
Curwood,	Lafore,	Parlante,	Vaughan,
Dougherty,	Lederer,	Peifly,	Wallace,
Down,	Leonard,	Peta,	Walsh,
Downey,	Leven,	Petrosky,	Wargo,
DuBois,	Limper,	Pfaff,	Weidner,
Dunn,	Lippincott,	Polaski,	Welsh,
Farabaugh,	Lopresti,	Poltenstein,	Whalley,
Fenrich,	Lovett,	Ragot,	White,
Filo,	Lutty,	Readinger,	Whitenight,
Fleischman,	Maguire,	Reidenbach,	Yetzer,
Floyd,	Mahan,	Rosen,	Zeltz,
Flynn,	Markley,		

NAYS—72

Ashton,	Gleason,	Light,	Scott,
Auker,	Goodling,	Mathews,	Spencer,
Banker,	Gramlich,	McCormack,	Strausser,
Barkdoll,	Guthrie,	McCullough,	Sucher,
Bear,	Hall,	McInroy,	Thompson,
Bolton,	Hamilton, W. H.,	McWherter,	Tompkins,
Breisch,	Haudenshield,	Mikula,	Varner,
Brown,	Helm,	Miller,	Wall,
Buchanan,	Hewitt,	Moody,	Wheeler,
Clapper,	Hocker,	Moore,	Willaredt,
Cooper,	Ide,	Muldowney,	Williams,
Davis,	Johnson,	Ogilvie,	Wilt,
Erb,	Jones, Geo. E.,	Phillips,	Wood,
Ewing,	Kent,	Polen,	Worley,
Ferster,	Kerlin,	Price,	Yeakel,
Flack,	Kratz,	Quiscnberry,	Young,
Frost,	Kromer,	Reagan,	Ziegler,
Geer,	Leisey,	Richter,	Smith, C. C., Speaker

NOT VOTING—21

Boles,	Gutendorf,	Rubin,	Toomey,
Bomberger,	Hoggard,	Shoemaker,	Verona,
Bullen,	Keller,	Shotwell,	Waterhouse,
Cianfrani,	Kline,	Stevenson,	Watkins,
Cochran,	Pettigrew,	Thomas,	Wescott,
Greenwood,			

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 902, entitled:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting supplemental payments by the Commonwealth on account of pupils in joint schools or in union or merged districts to districts of the third and fourth class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GOODLING offered the following amendments:

Amend Sec. 1 (Sec. 2502), page 4, line 2, by inserting after "class": "and to such other districts as have been approved by the Department of Public Instruction prior to the effective date of this amendment."

Amend Sec. 1 (Sec. 2502), page 4, by inserting after line 20:

"The foregoing supplemental payments shall also be made to districts of the second class when the joint organization meets the standards and regulations prescribed by the State Council of Education."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. GOODLING offered the following amendment:

Amend Sec. 2, page 5, lines 13 to 16, by striking out "except that pay-" in line 13, and all of lines 14, 15 and 16.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Mr. GOODLING offered the following amendments:

Amend Title, page 1, line 6 of Title, by inserting after "limiting": "the districts entitled to."

Amend Title, page 1, last line of Title, by striking out "to districts of the third and fourth class."

They were agreed to.

The section was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 910, entitled:

An act requiring owners of cattle and goats to have their herds tested for Bovine Brucellosis by the Department of Agriculture providing for disposition of and compensation for diseased animals and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1017, entitled:

An Act to further amend Section 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by further providing for serving of notice of sale when notice cannot be served by mail

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1181, entitled:

An Act to further amend Section 611 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the secretary of a county association of township supervisors to be elected as a delegate to the State Association Meeting

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1187, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title bulk sales and security interests

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1271, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1299, entitled:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys the use benefit enjoyment or control of which would not be available to certain nonresident beneficiaries entitled thereto and providing remedies to such beneficiaries under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 43, entitled:

An Act to amend Section 1 of the act, approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by prohibiting the imposition of wage, income or occupation taxes on nonresidents and abolishing such taxes heretofore imposed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 171, entitled:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule the practice and procedure govening appeals to the Supreme or Superior Courts of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bil No. 203, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 207, Printer's No. 65,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

ANNOUNCEMENT OF JOINT SESSION

The SPEAKER. The Chair wishes to announce to the Members of the House that there will be a Joint Session of the Senate and the House tomorrow at 4:00 o'clock EST to hear a message from the Governor, subject to the approval of the General Assembly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 91, entitled:

An Act to amend subsection (b) of Section 1 and Sections 2 and 4 of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1401), entitled "An act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by further defining employer, providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages.

On the question,

Will the House agree to the bill on third reading?

Mr. SEYLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1 (Section 2), page 3, lines 4, 5, and 6, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Wlil the House agree to the amendments?

Mr. BOLTON. Mr. Speaker, the amendments offered by the gentleman from York, Mr. Seyler, at this time I believe will change the meaning of the bill to the point where it no longer will accomplish the object that we set out to accomplish upon introduction of the bill.

I, therefore, request the Members of the House to vote down the amendment offered at this time by the gentleman from York.

Mr. SEYLER. Mr. Speaker, this bill is an amendment to the act prohibiting discrimination in rate of pay because of sex.

The bill has several good features in it. However, it has one feature that it seems to me is a very bad one, and that is the passage you will find on page 3, lines 4, 5 and 6, because in those lines the vague language allows a large hole to be driven into the provisions of the bill which provides that there shall be no discrimination because of sex.

The only purpose of these amendments is to take out the three lines in question, which I believe will leave the bill a very good one, because the other parts of the bill have great merit.

Therefore, I would ask all the Members to support the amendments.

Mr. BOLTON. Mr. Speaker, I intend to submit amendments to House Bill 91 which I think will answer the objection of Mr. Seyler to the present wording of the bill, and in fact I think will do a lot bttter job than the amendment the gentleman has proposed. At the conclusion of the decision of the House on his amendments I would like to offer amendments if the House does vote down the amendments offered by the gentleman from York.

Mr. SEYLER. Mr. Speaker, I would only add that the amendments by taking out the section in question would make it a very good type of bill as far as any kind of discrimination because of sex is concerned, and therefore I ask the Members to support the amendments.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BOLTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2, Page 2, Line 17, by striking out the bracket before the word "provided", and Line 18 by striking out the bracket after the word "in".

Amend Section 2, Page 3, Line 1, by striking out the bracket before the word "seniority" and on Line 3 by striking out the bracket after the word "sex", and by striking out Lines 4, 5 and 6 inclusive.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. SEYLER. Mr. Speaker, I regret that the amendments sponsored by me failed of passage. However, the amendments offered by the gentleman from Montgomery take out the passage which I questioned and restore the original language of the Act. Since the only change, therefore, in the law will be the three other sections of the Act which I consider of great merit in this bill, I would suggest that the Members support the amendments of the gentleman from Montgomery.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 213, as follows:

An Act to further amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by extending the scope of local option to include granting of importing distributors licenses permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 468 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for

earch and seizure without warrant prescribing penalties nd forfeitures providing for local option and repealing existing laws" is hereby amended to read as follows

Section 468 Licenses Not Assignable Transfers (a) Licenses issued under this article may not be assigned the board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it under the provisions of this article from one person to another or from one place to another or both within the same municipality as the board may determine provided however that in the event that the majority of the voting electors of a municipality at an election held under the provisions of any law so empowering them to do shall vote against the issuance of distributor or importing distributor licenses in such municipality the board is hereby authorized to transfer any such distributor or importing distibutor license from its place in such municipality to a place in any other municipality within the same county upon application prior to the expiration of any such license and upon payment of the transfer filing fee and the execution of a new bond but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfers of licenses may be made only at times fixed by the board in the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by him from any refusal to grant a transfer or upon the grant of any transfer the party aggrieved shall have the right of appeal to the proper court and therefrom to the superior court in the manner hereinbefore provided

Section 2 Section 472 of said act as amended by the act appoved the nineteenth day of Januay one thousand nine hundred fifty-two (P. L. 2170) is hereby further amended to read as follows

Section 472 Local Option In any municipality an election may be held on the date of the primary election immediately preceding any municipal election but not oftener than once in four ears to determine the will of the electors with respect to the granting of liquor licenses to hotels restaurants and clubs not oftener than once in four years with respect to the granting of licenses to retail dispensers of malt and brewed beverages not oftener than once in four years with respect to granting of licenses to wholesale distributors and importing distributors or not more than once in four years with respect to the establishment operation and maintenance by the board of Pennsylvania liquor stores within the limits of such municipality under the provisions of this act Provided however Where an election shall have been held at the primary preceding a municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election And provided further That an election on the question of establishing and opeating a State liquor store shall be initiated only in those municipalities that shall have voted against the granting of liquor licenses and that an election on the question of granting wholesale distributor and importing distributor licenses shall be initiated only in those municipalities that shall have at a previous election voted against the granting of dispenser's licenses Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting any of said classes of licenses or the establishment of Pennsylvania liquor stores the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing filing and adjudication of nomination petitions insofar as such provisions are applicable

When the question is in respect to the granting of liquor licenses it shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor in ..... of ..... ?	Yes	
	No	

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the ..... of ..... ?	Yes	
	No	

When the question in respect to the granting of licenses to wholesale distributors of malt or brewed beverages and importing distributors it shall be in the following form

Do you favor the granting of malt and brewed beverage wholesale distributor's and importing distributor's licenses not for consumption on premises where sold in the ..... of ..... ?	Yes	
	No	

When the question is in respect to the establishment operation and maintenance of Pennsylvania liquor stores it shall be in the following form

Do you favor the establishment operation and maintenance of Pennsylvania liquor stores in the ..... of ..... ?	Yes	
	No	

In case of a tie vote the status quo shall obtain If a majority of the voting electors on any such question vote "yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs or malt and brewed beverage retail dispenser licenses or wholesale distributor's and importing distributor's license for the sale of malt or brewed beverages shall be granted by the board or the board may establish operate and maintain Pennsylvania liquor stores as the case may be in such municipality as provided by this act but if a majority of the electors voting on any such question vote "no" then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or if the negative vote is on the question in respect to the establishment operation and maintenance of Pennsylvania liquor stores the board shall not open and operate a Pennsylvania liquor store in such municipality nor continue to operate a then existing Pennsylvania liquor store in the municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store whichever period is less unless and until at a later election a majority of the voting electors vote "yes" on such question

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

Amarando,	Greenwood,	McCann,	Snider,
Andrews,	Guthrie,	McCullough,	Spencer,
Banker,	Hall,	McDermit,	Stank,
Barkdoll,	Hamilton, R. K.,	McGee,	Stimmel,
Baumunk,	Hamilton, W. H.,	McInroy,	Stone,
Bazin,	Harris,	Mihm,	Stoner,
Bear,	Haudenshield,	Mikula,	Sucher,
Blair,	Helm,	Mills,	Thompson,
Boies,	Hersch,	Moore,	Toll,
Bower,	Hewitt,	Moran,	Toomey,
Breisch,	Ide,	Munley,	VanSant,
Breth,	Jim,	Murray, J. J.,	Varallo,
Brown,	Johnson,	Murray, P. G.,	Varner,
Buchanan,	Jones, Paul F.,	Musto,	Vaughan,
Cioffi,	Kamyk,	Needham,	Wall,
Clapper,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peta,	Walsh
Conner,	Kohl,	Petrosky,	Wargo,
Cooper,	Kolankiewicz,	Phillips,	Weidner,
Coyle,	Kornick,	Polaski,	Wescott,
Curwood,	Kratz,	Poltenstein,	Wheeler,
Davis,	Kromer,	Price,	Whitenight,
Downey,	Kubacki,	Readinger,	Willaredt,
Ewing,	Lederer,	Rosen,	Williams,
Fenrich,	Leisey,	Rovansek,	Worley,
Filo,	Leonard,	Sarraf,	Yeakel,
Floyd,	Limper,	Schmidt,	Yetzer,
Flynn,	Lopresti,	Schuster,	Young,
Frost,	Lutty,	Schwartz,	Zeitz,
Gibson,	Maguire,	Scott,	Ziegler,
Gleason,	Markley,	Seyler,	Smith, C. C., Speaker
Glick,	Mathews,	Shoemaker,	
Goodling,	Maxwell,	Smith, W. B.,	

NAYS—38

Ashton,	Erb,	Leven,	Naugle,
Auker,	Ferster,	Lippincott,	Peifly,
Bolton,	Fleischman,	Lovett,	Pfaff,
Boory,	Geer,	Mahan,	Ragot,
Bucchin,	Hocker,	McCormack,	Richter,
Comer,	Hoggard,	Metz,	Tompkins,
Dougherty,	Jones, T. H. W.,	Miller,	Welsh,
Down,	Kerlin,	Moscrip,	Whalley,
DuBois,	Lafore,	Muldowney,	White,
Dunn,			Wood,

NOT VOTING—29

Adam,	Guss,	Moody,	Shotwell,
Alexander,	Gutendorf,	Ogilvie,	Stevenson,
Bomberger,	Jenkins,	Olsen,	Strausser,
Bullen,	Jones, Geo. E.,	Pettigrew,	Taylor,
Capano,	Jones, Gran'le E.	Polen,	Thomas,
Cianfrani,	Jump,	Quisenberry,	Verona,
Cochran,	Kline,	Reagan,	Waterhouse,
Farabaugh,	Light,	Reidenbach,	Watkins,
Flack,	McWherter,	Royer,	Wilt,
Gramlich,	Monroe,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 562, Printer's No. 231,
House Bill No. 574, Printer's No. 221,
House Bill No. 623, Printer's No. 232,
House Bill No. 643, Printer's No. 235,
House Bill No. 649, Printer's No. 236,
House Bill No. 651, Printer's No. 204,
House Bill No. 664, Printer's No. 181,
House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 816, Printer's No. 99,
House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150,
House Bill No. 833, Printer's No. 205 and
House Bill No. 952, Printer's No. 238,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1003, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing on the Secretary of Health and providing for payments of expenses by townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thouasnd nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended by adding after Article XIX thereof a new article to read as follows

Article XIX-A

Board of Health

Section 1901-A Establishment of Board of Health Officers The administration of the health laws in townships may be enforced by a board of health or by a health officer or officers as the case may be appointed by the township supervisors

Where the township supervisors elect to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is prescribed for boards of health in townships All health officers whether appointed by boards of health or by the township supervisors shall have had some experience or training in public health work in accordince with rules and regulations established by the Advisory Health Board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by the State Department of Health

Section 1902-A Members of Board of Health Where the township supervisors decide to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board shall be appointed by the township supervisors At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve five years The members of the board of health shall serve without compensation but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that offce

Section 1903-A Oaths of Members Secretary and Health Officer The members of the board shall severally take and subscribe to the oath prescribed by section five hundred one of this act and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board and a health officer who shall not be a member of the board The secretary and the health officer shall receive such salary as may be fixed by the board and ratified by the township supervisors and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the township in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required by members of the board

Section 1904-A Duties of Secretary The secretary of the board shall keep the minutes of the proceedings of the board shall keep accurate accounts of the expenditures of the board shall draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the supervisors to the board and shall present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the township supervisors together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of month the cases of communicable disease reported to the board of health one the form provided for that purpose by such department and shall also make an annual report to such department and shall make such other reports and perform such other duties as board may require

Section 1905-A Powers and Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duites have the power and authority of a policeman

Section 1906-A Powers of Board of Health The board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which the board shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house-drains wash-pipes soil-pipes and cesspools and to make all such other rules and regulations as shall be deemed necessary for the preservation of the public health The board shall also have power with the consent of the township supervisors in case of a prevalence of any contagious or infectious disease to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which they are invested by law and the power and authority relating to the public health conferred on the townships Such rules and regulations when approved by the township supervisors and when advertised in the same manner as ordinances shall have the force of ordinances of the township and all penalties or punishment prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the township in the same manner as penalties for violation of the ordinances of the township and subject to like limitations as to the amount thereof

Section 1907-A Entry Upon Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the township upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same

Section 1908-A Inspections Abatement of Nuisances The board of health may inspect house-drains waste and soil-pipes cesspools water-closets slaughter-houses hog-pens stable stable-yards and any conditions or places whatsoever in the township which may constitute a nuisance or a menace to public health and whenever any condition or place in the township is found by the board to be a nuisance or a menace to the health of the people of the township it shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein the board shall thereupon issue a further written order to the health officer directing him to remove or abate the same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be provided by ordinance of the township

Section 1909-A Estimates of Expenditures Report It shall be the duty of the board of health or appointed health officer or officers to submit annually to the supervisors before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and the supervisors shall then proceed to make such appropriations as may be deemed necessary The board of health health officers or officers shall in the month of January of each year submit a report in writing to the supervisors of its appropriation and expenditures for the preceding year together with such other information as subjects relative to the sanitary condition or requirements of the township as may be necessary and the supervisors shall publish the same in their official journal

Section 1910-A Cooperation With Other Units Any township may cooperate with the county or with any city borough or township as well as with the State Department of Health in the administration and enforcement of health laws

Section 1911-A Powers of Secretary of Health Whenever in the opinion of the Secretary of Health conditions found by him to exist in any township shall constitute a menace to the lives and health of people living outside the corporate limits of such township or if it be known to him that any township is without an existing or efficient board of health he or his agents may enter

and take full charge of and administer the health laws regulations and ordinances in such township and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such township and is ready able and willing to assume and carry into effect the duties imposed upon it by law

Section 1912-A Expenses of Board or Secretary of Health All expenses incurred by any local board of health its officers or employes in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health or his agents in accordance with the provisions of this article shall be paid by the township wherein such duties are performed in the same manner as other expenses of such township are paid

Section 1913-A Failure to Pay Expenses Incurred by State Secretary Whenever expenses incurred by the Secretary of Health or his agents in the administration of health laws in any township in accordance with the provisions of this article shall remain unpaid by said township for a period over three months after a statement of such expense has been rendered by him to such township and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such township for the collection of such expense from the township in the same manner as debts of like amount are collected by law Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination

Section 1914-A Disposition of Collected Funds All expenses incurred by the Secretary of Health in the administration of health laws in any township when paid to him by such township or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Montgomery, Mr. WILLAREDT permit himself to be interrogated?

Mr. WILLAREDT. I shall, Mr. Speaker.

Mr. MORAN. I would like to ask the gentleman to explain the purpose of this bill.

Mr. WILLAREDT. Mr. Speaker, this would give the second class townships of the state the privilege of having their own department of health where it was necessary. It is not mandatory; it does not mean that they have to have a board of health, but it is to cover those townships close to the large centers of population which have gotten such a large number of people coming in that they need something to take care of the conditions which the State Department is not doing.

Mr. MORAN. Mr. Speaker, does this mean that they appoint their own board of health, that is their secretary or the head of that board of health?

Mr. WILLAREDT. Mr. Speaker, anybody qualified.

Mr. MORAN. Mr. Speaker, anybody than can qualify for the position.

Mr. WILLAREDT. Mr. Speaker, that is right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Gleason,	McCann,	Schuster,
Alexander,	Glick,	McCormack,	Schwartz,
Amarando,	Gramlich,	McCullough,	Scott,
Andrews,	Greenwood,	McDermit,	Seyler,
Ashton,	Guss,	McGee,	Shoemaker,
Aukel,	Gutendorf,	McInroy,	Shotwell,
Banker,	Guthrie,	McWherter,	Smith, W. B.,
Barkdoll,	Hall,	Metz,	Snider,
Baumunk,	Hamilton, R. K.,	Mihm,	Spencer,
Bazin,	Hamilton, W. H.,	Mikula,	Stank,
Bear,	Harris,	Miller,	Stevenson,
Blair,	Haudenshield,	Mills,	Stimmel,
Boles,	Helm,	Monroe,	Stone,
Boory,	Hersch,	Moody,	Stoner,
Bower,	Hewitt,	Moore,	Strausser,
Breisch,	Hocker,	Moran,	Sucher,
Breth,	Hoggard,	Moscrip,	Taylor,
Brown,	Ide,	Muldowney,	Thomas,
Bucchin,	Jenkins,	Munley,	Thompson,
Buchanan,	Jim,	Murray, J. J.,	Toll,
Bullen,	Johnson,	Murray, P. G.,	Toomey,
Capano,	Jones, Geo. E.,	Musto,	VanSant,
Cianfrani,	Jones, Gran'le E.	Naugle,	Varallo,
Cioffi,	Jones, Paul P.,	Needham,	Varner,
Clapper,	Jump,	Ogilvie,	Vaughan,
Cochran,	Kamyk,	Olsen,	Verona,
Comer,	Keller,	Parlante,	Wall,
Connelly,	Kent,	Peifly,	Wallace,
Conner,	Kerlin,	Peta,	Walsh
Cooper,	Kohl,	Petrosky,	Wargo,
Coyle,	Kolankiewicz,	Pettigrew,	Waterhouse,
Curwood,	Kornick,	Pfaff,	Weidner,
Davis,	Kratz,	Phillips,	Welsh,
Dougherty,	Kromer,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
DuBois,	Lederer,	Price,	White,
Dunn,	Leisey,	Quisenberry,	Whitenight,
Erb,	Leonard,	Ragot,	Willaredt,
Ewing,	Leven,	Readinger,	Williams,
Farabaugh,	Limper,	Reagan,	Wilt,
Fenrich,	Lopresti,	Reidenbach,	Wood,
Ferster,	Lovett,	Richter,	Worley,
Filo,	Lutty,	Rosen,	Yeakel,
Flack,	Maguire,	Rovansek,	Yetzer,
Fleischman,	Mahan,	Royer,	Young,
Floyd,	Markley,	Rubin,	Zeitz,
Flynn,	Mathews,	Sarraf,	Ziegler,
Geer,	Maxwell,	Schmidt,	Smith, C. C., Speaker
Gibson,			

NAYS—7

Bolton,	Goodling,	Light,	Tompkins,
Frost	Jones, T. H. W.,	Lippincott,	

NOT VOTINNG—3

Bomberger,	Kline,	Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1105, Printer's No. 253,

was passed over at the request of Mr. JOHNSON.

There being no objection

House Bill No. 1107, Printer's No. 277,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital as defined actually employed in Pennsylvania by any for-

eign corporation limited partnership or joint-stock association requiring the filing of reports providing for rights powers and duties of the Department of Revenue the taxpayers and officers thereof imposing interest and penalties and repealing a certain act relating to foreign corporations limited partnerships and joint-stock associations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following terms when used in this act shall have the meanings ascribed to them in this section

"Department" means the Department of Revenue

"Foreign Corporation" means any corporation limited partnership or joint-stock association chartered or created by or under the laws of any other state or of the United States or of any foreign country which has been issued a certificate of authority by the Department of State to do business within this Commonwealth and which either (a) has its principal office or chief place of business located within this Commonwealth or (b) has any part of its capital actually employed within this Commonwealth the term "foreign corporation" shall not include foreign insurance companies and foreign non-profit corporations which do not have any capital stock

"Increase of Capital" means (a) as to foreign corporations doing business in this Commonwealth at the effective date of this act any increase of capital in excess of the amount actually employed in this Commonwealth during the calendar year one thousand nine hundred fifty-two or the fiscal year ending in one thousand nine hundred fifty-three (b) as to corporations admitted to do business in this Commonwealth after the effective date of this act capital actually employed wholly within this Commonwealth at the time of or after receiving a certificate of authority to do business from the Department of State and any increase thereof

Section 2 Imposition of Tax From and after the effective date of this act every foreign corporation in addition to complying with all the laws of the Commonwealth now or hereafter in effect shall for the privilege of exercising its franchises in Pennsylvania pay to the Department an excise tax of one-third of one per centum upon the amount of any increase of capital actually employed wholly within this Commonwealth

Section 3 Initial and Annual Report Every foreign corporation shall within sixty (60) days after (a) the final enactment of this act or (b) the end of its fiscal year ending in one thousand nine hundred fifty-three file a report with the Department for information purposes on a form prescribed by the Department stating specifically as of the end of the preceding calendar or fiscal year (1) the state or country in which incorporated or created (2) the date of incorporation or organization (3) location of its chief office in this Commonwealth (4) the name and address of its president and treasurer (5) the amount of capital employed wholly within this Commonwealth

Every foreign corporation shall thereafter make a similar report annually to the Department on a form prescribed by the Department on or before the seventy-fifth day after the close of its calendar or fiscal year and shall pay to the Department at the time of filing such report the tax due under this act for such annual period

Section 4 Settlement Resettlement and Appeal All taxes due under this act shall be settled by the Department with the approval of the Department of the Auditor General and such settlement shall be subject to resettlement review appeal and refund to the same extent and in the same manner as is now provided by law for the settlement resettlement review appeal and refund of capital stock and franchise taxes imposed upon corporations If the officers of any foreign corporation shall neglect or refuse to make any report as herein required as shall knowingly make any false report an additional ten per cent (10%) of the amount of the tax shall be added to the tax determined by the said Departments to be due

The taxes imposed by this act shall bear interest at the rate of six per cent (6%) per annum from the date they are due and payable until paid Provided That any foreign corporation may pay the full amount of such tax or any part thereof together with interest thereon without prejudice to its right to resettlement review appeal or refund as provided by law with respect to capital stock and franchise taxes imposed on corporations

Section 5 Powers and Duties of Department The Department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and impose rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act

The Department shall have the same powers relating to the administration or enforcement of this act as are conferred upon the Department by the laws relating to capital stock and franchise taxes imposed on corporations

Section 6 Penalties (a) Any person who shall wilfully make a false and fraudulent report under this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addtion to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the Department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section7 Constitutional Construction The Provisions of this act are not intended to be severable and if any provision hereof is found by a court of record to be unconstitutional and void the remaining provisions of this act shall fall and become void and the act repealed in Section 8 shall be revived and continued in force and effect as of the effective date of this act

Section 8 Repeal Subject to the conditions imposed in Section 7 of this act the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" is hereby repealed Provided further That the said act shall remain in force and effect as to bonus imposable and collectible for any period prior to the effective date of this act

Section 9 Effective Date This act shall become effective as of the first day of January one thousand nine hundred fifty-three for foreign corporations reporting on a calendar year basis or as of the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three for foreign corporations reporting on a fiscal year basis and the first annual reports required to be filed hereunder shall be filed for the calendar year one thousand nine hundred fifty-three or for any fiscal year beginning in the calendar year one thousand nine hundred fifty-three

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, just exactly what does this bill do? How much revenue does it carry?

The SPEAKER. Does the gentleman desire to inter-

rogate the gentleman from Crawford, Mr. Kent? Will the gentleman permit himself to be interrogated?

Mr. KENT. I shall, Mr. Speaker.

Mr. ANDREWS. The gentleman heard the inquiry.

Mr. KENT. Mr. Speaker, in reply to the gentleman's question what House Bills 1118 and 1119 do is simply transpose what is now known as the bonus payment upon the formation of a corporation in Pennsylvania or a foreign corporation doing business in Pennsylvania, which bonus has been declared by the courts to be not a tax but simply a payment to the Commonwealth for the privilege of doing business in Pennsylvania.

These two bills make bonus payments a tax and do not increase the revenues whatsoever. The bills are the same as the bonus and the same as the law is now except that it is a tax now rather than a bonus payment. It does do away with some reporting to the Commonwealth by domestic corporations.

Mr. ANDREWS. Mr. Speaker, and the tax becomes deductible from Federal taxes?

Mr. KENT. Mr. Speaker, that would be correct.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tompkins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, Gran'le E.	Musto,	Varallo,
Clapper,	Jones, Paul F.,	Naugle,	Varner,
Cochran,	Jones, T. H. W.,	Needham,	Vaughan,
Comer,	Jump,	Ogilvie,	Verona,
Connelly,	Kamyk,	Olsen,	Wall,
Conner,	Keller,	Parlante,	Wallace,
Cooper,	Kent,	Peifly,	Walsh,
Coyle,	Kerlin,	Peta,	Wargo,
Curwood,	Kohl,	Petrosky,	Waterhouse,
Davis,	Kolankiewicz,	Pettigrew,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—3

Bomberger, Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1119, as follows:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships providing for the computation payment assessment settlement and resettlement of the tax and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations and certain partnerships State officers boards and departments requiring certain reports creating a lien for unpaid tax imposing penalties and repealing certain acts relating to corporations and certain partnerships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act when applied to corporations the terms

(a) "State Capital" shall be construed to mean (1) The number of share of capital stock authorized having a par value of multiplied by the par value thereof or (2) the value expressed in dollars of the entire consideration received by the corporation for or on account of its authorized shares without par value set forth in its articles of incorporation or applicable thereto irrespective of whether the consideration be allocated or applicable to stated capital or paid-in capital or both clauses (1) and (2) and in additions (3) such amounts not included in clauses (1) or (2) of this paragraph as may have been transferred to or are applicable to the stated capital or capital or paid-in capital with which the corporation will begin business whether upon the issue of shares as a dividend or otherwise minus such formal reduction from said sum as may have been effected in a manner permitted by law

(b) "Authorized Capital Stock" is intended to mean and shall be construed to mean the number of shares of capital stock having a par value multiplied by the par value thereof with which a corporation is authorized to begin business

(c) "Capital Shares" or "Capital Stock" shall be construed to mean the units which recognize the stockholders' rights to participate in the control of the corporation or in its surplus or in its profits or benefits or in the distribution of its assets or dividends

Section 2 Imposition of Tax An excise tax of one fifth of one per centum is hereby imposed for State purposes for the privilege of exercising corporate franchises or other powers or privileges within this State as follows

(a) Upon the amount of stated capital with which any corporation hereafter incorporated will begin business and upon the amount of increase thereof

(b) Upon the amount of increase of the stated capital of any corporation heretofore incorporated

(c) Upon the amount of the authorized capital stock of any corporation heretofore incorporated which is unissued at the date of passage of this act and upon the amount of each subsequent increase of the authorized capital stock of such corporation made after the passage of this act

(d) Upon the amount of the authorized capital stock of any corporation hereafter incorporated and upon the amount of each subsequent increase of authorized capital stock

(e) Upon the amount of authorized capital stock or stated capital which any corporation other than a bank-

ing corporation is authorized to have upon a renewal or extension of its charter

(f) In the case of the merger or consolidation of two or more corporations upon the amount of the authorized capital stock or stated capital of the new or merged corporation in excess of the amount of the authorized capital stock or stated capital or both of the several corporations so merging or consolidating Provided That in case of the merger or consolidation of a foreign corporation which has any part of its capital actually employed within this State with a domestic corporation such new or merged or consolidated corporation shall be entitled to credit upon any tax due and payable for the amount of bonus or excise tax theretofore paid by such foreign corporation upon the amount of the capital actually employed within the State of Pennsylvania

(g) In the case of a trust company incorporated for the purchasing taking over merging or consolidating with any other trust company or purchasing taking over or consolidating with any bank banking company or savings institution where such purpose is expressed in its charter and in the case of a bank or banking company or savings institution incorporated to similarly acquire a trust company bank banking company or other savings institution upon the amount of the authorized capital stock or its stated capital expressed in its new charter or articles of incorporation which is in excess of the amount of the authoized capital stock or stated capital of the corporation or corporations purchased merged or acquired

(h) Upon the amount of the capital stock which a partnership association hereafter formed under the provisions of the act approved the second day of June one thousand eight hundred and seventy-four (P. L. 271) entitled "An act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association except under certain circumstances" and a partnership hereafter formed under the provisions of the act approved the ninth day of May one thousand eight hundred and ninety-nine (P. L. 261) entitled "An act authorizing the formation of partnerships in which one or more or all of the partners may limit their liability for the debts of the partnership to the amount of capital subscribed by such partner or partners respectively and providing penalties for violation of its provisions" shall have and upon the amount of any increase of the capital of any such partnership association or partnership heretofore or hereafter formed

Section 3 Exceptions No excise tax shall be imposed or be collected under the provisions of this act (a) in the case of the incorporation or the increase of the capital stock of a building and loan association or credit union or (b) from any corporation named in the first class of section two of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" which does not have any capital stock or (c) upon any capital stock upon which a bonus has been heretofore paid under prior laws or under laws repealed by this act or which was not liable for the payment of bonus under then existing laws

In the case of any corporation issuing shares of stock without nominal or par value no increase in the number of outstanding shares without nominal or par value shall warrant the imposition of any excise tax under the provisions of this act unless there shall be an increase in the stated capital of the corporation issuing such shares and if there be such increase in stated capital the excise tax shall be imposed and computed upon the amount of such increase only

In the case of any corporation created by or under the laws of any other state and authorized by a certificate of authority to do business in this Commonwealth becoming a corporation of this Commonwealth in the manner provided by law said corporation shall be liable for the excise tax imposed herein on its capital stock or stated capital or both to the same extent at the same rate and in the same manner as corporations created under the laws of this Commonwealth are liable Provided That said corporation shall be entitled to a credit on the excise tax imposed herein by exempting from the payment of the excise tax capital stock equal to the capital upon which such foreign corporation has heretofore paid bonus under prior laws of this State or the excise tax under the provisions of this act

Section 4 Settlement and Collection of Tax Interest and Penalties It shall be the duty of the Secretary of the Commonwealth to settle and collect all excise tax interest thereon and penalties for failure to file any report required by this act to be filed by a corporation or to file any report of the tax imposed upon any corporation by this act

Section 5 Payments to the Secretary of the Commonwealth Except as hereinafter otherwise provided the excise tax imposed by this act shall in each case be paid by the corporation limited partnership or joint stock association liable for the same to the Secretary of the Commonwealth for the use of the Commonwealth

Section 6 Reports Due Date of Tax Interest Penalties Settlement and Resettlement Collection and Lien

(a) Every corporation required to pay the excise tax in accordance with the provisions of this act shall in a form prescribed by the Secretary of the Commonwealth report to the Secretary of the Commonwealth on or before sixty (60) days from the effective date of this act the name location of registered office the date of incorporation and the amount of its authorized capital stock or stated capital as of the effective date of this act the maximum amount of capital stock or stated capital outstanding at any time between the date of incorporation and the effective date of this act the amount of the capital stock outstanding as of effective date of this act giving such other information about such capital stock or stated capital as the Secretary of the Commonwealth shall require for the purpose of this act

(b) Upon the increase of the stated capital of any corporation it shall be the duty of the president or treasurer thereof within thirty (30) days thereafter to file a report thereof with the Secretary of the Commonwealth and concurrently therewith such corporation shall pay to the Secretary of the Commonwealth the excise tax due on such increase

(c) The amount of excise tax due the Commonwealth upon authorized capital stock or stated capital of any corporation hereafter incorporated shall be due and payable concurrently with filing its articles of incorporation or application for a charter

(d) The amount of excise tax due the Commonwealth upon the increase of the authorized capital stock of any corporation heretofore or hereafter incorporated shall be due and payable concurrently with filing its articles of amendment

(e) The excise tax due under the provisions of this act upon the amount of authorized but unissued capital stock of any corporation heretofore incorporated as of the effective date of this act shall be due and payable at the option of the corporation (1) either upon the amount of such authorized capital stock within sixty days from the effective date of this act or (2) upon the amount of such authorized capital stock within thirty (30) days after the issuance of the capital shares or capital stock so authorized In either case the corporation shall make a report thereof to the Secretary of the Commonwealth within the sixty (60) or thirty (30) day period and shall make payment of the tax due concurrently with the filing of the report

(f) The excise tax due upon the increase of authorized capital stock or stated capital in the case of a merger or consolidation as provided in this act shall be due and payable by the merged or consolidated corporation concurrently with te filing of articles of merger or consolidation

(g) The excise tax due the Commonwealth under the provisions of this act shall bear interest at the rate of six per centum (6%) per annum from the date it is due and payable until paid The payment of such interest shall not relieve any corporation or partnership from any of the penalties imposed by law for neglect or refusal to make a report to the Secretary of the Commonwealth or to

pay any excise tax due the Commonwealth from such corporation or partnership

(h) In case any corporation or any officer thereof shall neglect or omit to file a report within sixty (60) days from the effective date of this act furnishing information required by this act as of the effective date thereof such corporation shall be subject to a penalty of five hundred dollars ($500) and in case any corporation or any officer thereof shall neglect or omit to file a report and pay the excise tax as required by this act such corporation shall be subject to a penalty of ten per centum (10%) of the tax and interest due thereon or fifty dollars ($50) whichever shall be the larger amount in addition to the tax The Secretary of the Commonwealth may remit such penalties for reasons satisfactory to him

(i) Within six (6) months from the due date of any report or tax payment as provided in this act the Secretary of the Commonwealth shall settle and assess the excise tax and interest then due and payable against each corporation which shall have omitted or failed to file any report required by this act or to pay any and all tax imposed by this act on its capital stock or stated capital and the penalty imposed by this act for the failure so to do

(j) Promptly after the date of any such settlement the Secretary of the Commonwealth shall send by mail or otherwise a copy thereof to such corporation The tax interest and penalty imposed by this act shall be subject to the right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations except that any petition for resettlement of such settlement shall be filed with the Secretary of the Commonwealth In the event of any adjustment of the excise tax in respect to which a penalty has been assessed for failure to file any report required by this act the penalty shall be adjusted in accordance with the provisions of this act imposing such penalty

(k) Whenever any tax interest or penalty imposed by this act are not paid within ninety (90) days

(1) From the date of settlement if no petition for resettlement has been filed or

(2) From the date of resettlement or refusal of any petition for resettlement if no petition for review has been filed or

(3) From the date of the decision by the Board of Finance and Revenue upon a petition for review or the expiration of said board's time for acting upon such petition if no appeal has been filed and in all cases of judicial sales assignments or bankruptcies the Secretary of the Commonwealth shall call upon the Department of Justice to collect the same in the same manner as provided by law in the case of other taxes imposed for State purposes

(1) For the purpose of enforcing collection all unpaid excise taxes interest and penalties imposed on corporations and partnerships under the provisions of this act shall be a first lien upon the franchises and property both real and personal of such corporations from the date of settlement thereof with the same force effect and remedies as provided by law in the case of other taxes for State purposes

(m) The amount of the excise tax due the Commonwealth upon the capital stock which any partnership hereafter formed or organized and made taxable under the provisions of this act shall have shall be due and payable to the Department of Revenue concurrently with its formation or organization and upon the increase of the capital stock of any partnership heretofore or hereafter formed or organized and made taxable under the provisions of this act it shall be the duty of the chairman or treasurer or other proper officer to make a report within thirty (30) days thereafter to the Department of Revenue of the amount of the increase of capital stock actually made and concurrently therewith such partnership shall pay to the Department of Revenue the excise tax due on such increase of capital stock

(n) In case any partnership taxable under the provisions of this act or any officer thereof shall neglect or omit to make any report or tax payment required by this act such partnership shall be subject to a penalty of ten per centum (10%) of the excise tax or fifty dollars ($50) whichever shall be the larger amount in addition to the tax which penalty together with the tax and interest due thereon shall be collected on an account settled by the Department of Revenue as accounts for taxes due the Commonwealth are settled and collected The Department of Revenue may remit such penalty for reasons satisfactory to it

(o) The provisions of this act in respect to the excise tax interest and penalties due from corporations are applicable to the excise tax interest and penalties due from partnerships except that where necessary the powers and duties conferred upon the Secretary of the Commonwealth in the case of corporations are conferred upon the Department of Revenue in the case of partnerships

Section 7 Effect of Falure to Pay the Excise Tax The Governor of this Commonwealth shall not issue any letters patent to any corporation nor shall the Secretarv of the Commonwealth issue a certificate of incorporation or a certificate of merger to any corporation nor shall any domestic corporation partnership or partnership association go into operation or exercise any corporate or other powers or privileges until the excise tax imposed by this act has been paid to the proper officer of the Commonwealth

The Secretary of the Commonwealth shall not permit the filing in his office of any proceedings for the increase of capital stock or stated capital or both of any corporation until he is satisfied that the excise tax upon such increase of capital stock or stated capital has been paid

No articles of association to form a partnership or any amendment increasing the capital stock thereof shall be accepted of record by the recorder of deeds in any county in this Commonwealth unless there is annexed thereto a receipt of the Department of Revenue for the amount of the excise tax due under this act said receipt to be made a part of the articles of association and recorded therewith

The articles of association of any partnerships which shall not pay the excise tax imposed by this act shall be void and of no effect and every person a party thereto shall be held liable as general partners

Section 8 Compromise of Settlement of Tax Interest and Penalties If any corporation bank trust company or partnership required to pay the excise tax under the provisions of this act is indebted to the Commonwealth for such tax and interest and penalties thereon shall have gone into liquidation become insolvent ceased to carry on business or has no known or available property in this or any other state which may be seized in execution of process issued out of any court of this or any other state or if the property of such corporation bank trust company or partnership is insufficient to pay the tax and interest and penalties or interest or penalties due the Commonwealth the Secreary of the Commonwealth may with the approval of the Auditor General and the Attorney General compound compromise or settle such tax and interest and penalties or such tax or interest or penalties on such terms as said officials may determine to be for the best interests of the Commonwealth and any lien of the Commonwealth for such tax and interest and penalties or for such tax or interest or penalties shall be reduced to the amount of such tax and interest and penalties or such tax or interest or penalties as so compounded compromised or settled

Section 9 Constitutional Construction The provisions of this act are not intended to be severable and if any provision hereof is found by a court of record to be unconsitutional and void the remaining provisions of this act shall fall and become void and the acts repealed in Section 10 shall be revived and continued in force and effect as of the date of the passage of this act

Section 10 Repeal Subject to the conditions imposed in Section 9 the following acts are hereby repealed

The Act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled "An act to amend revise consolidate and change the laws

relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships"

The act approved the twenty-first day of April one thousand nine hundred and thirty-seven (P. L 315) entitled "An act to amend section three of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' exempting credit unions from the provisions of the act"

The act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 473) entitled "An act to amend section three of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' as amended by providing that foreign corporations becoming domestic corporations shall be entitled to a credit on bonus by exempting from the payment of bonus capital stock equal to the capital stock upon which such foreign corporation has theretofore paid bonus under existing laws of this State"

The act approved the twenty-fifth day of April one thousand nine hundred and twenty-nine (P. L 671) entitled "An act to amend sections five six and seven of the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' "

The act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 609) entitled "An act to amend the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providng for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' "

The act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 609) entitled "An act to amend the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' as amended by clarifying and enlarging its meaning and modifying and changing the provisions relating to the imposition computation and collection of bonus imposed by said act requiring certain reports imposing additional duties on State county and corporate officers creating a lien for unpaid bonus and imposing penalties"

The act approved the twenty-third day of May one thousand nine hundred and forty-five (P. L. 857) entitled "An act to further amend section six (d) and to add a new section to the act approved the twentieth day of April one thousand nine hundred and twenty-seven (P. L. 322) entitled 'An act to amend revise consolidate and change the laws relating to bonus and providing for the imposition computation and collection of bonus for State purposes on the capital stock stated capital or capital of domestic corporations banks and trust companies and certain partnerships' as last amended by establishing the interest rate on bonus due the Commonwealth at six per centum per annum from the time when due until paid and authorizing the Secretary of the Commonwealth with the approval of the Auditor General and the Attorney General to compromise and settle claims for bonus interest and penalties thereon in certain cases"

All other acts and parts of acts inconsistent with this act are hereby repealed but the repeal of any act of Assembly shall not estop the assessment or collection of any bonus interest or penalty by the Commonwealth due or liable to become due under such acts before such repeal

Section 11 Savings Clause The provisions of the acts repealed in Section 10 of this act shall remain in force and effect as to bonus imposable and collectible for any period prior to the effective date of this act

Section 12 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boies,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Hoggard,	Moran,	Thomas,
Bucchin,	Ide,	Moscrip,	Thompson,
Buchanan,	Jenkins,	Muldowney,	Toll,
Bullen,	Jim,	Munley,	Tompkins,
Capano,	Johnson,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, Gran'le E.	Musto,	Varallo,
Clapper,	Jones, Paul F.,	Naugle,	Varner,
Cochran,	Jones, T. H. W.,	Needham,	Vaughan,
Comer,	Jump,	Ogilvie,	Verona,
Connelly,	Kamyk,	Olsen,	Wall,
Conner,	Keller,	Parlante,	Wallace,
Cooper,	Kent,	Peifly,	Walsh
Coyle,	Kerlin,	Peta,	Wargo,
Curwood,	Kohl,	Petrosky,	Waterhouse,
Davis,	Kolankiewicz,	Pettigrew,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Floyd,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—3

Bomberger,	Kline,	Watkins,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1217, Printer's No. 213,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 502 514 and 530 of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) are hereby further amended to read as follows

Section 502 Bonds When any officer or employe of any township is required to give bond for the faithful performance of his duties such bond shall be with a surety company or other company authorized by law to act as surety and the township may pay the premium on such bond [No auditor or supervisor of the township shall become a surety on the bond of any township officer]

Section 514 Road Districts Superintendents and Roadmasters The board of township supervisors immediately after their organization shall divide the township into one or more road districts They shall employ a superintendent for the entire township or a roadmaster for each district Every superintendent and roadmaster so employed must be a person physically able to work on and maintain the roads Township supervisors may require such superintendents or roadmasters to give bond with [approved security] a surety company or other company authorized by law to act as surety for the faithful performance of their duties The superintendent or roadmaster shall be subject to removal by the board of supervisors The supervisors shall fix the wages to be paid either per hour per day per week semimonthly or monthly to the superintendent or roadmasters and laborers for work on the roads and bridges which wages shall not exceed wages paid in the locality for similar services

This section shall not prohibit the township supervisors from being employed as superintendents or roadmasters or as laborers if physically able to work on and maintain the roads In such cases they shall not employ a superintendent or roadmasters and their compensation shall be fixed as hereinafter provided

Two or more townships may appoint the same person as superintendent

Section 530 Bond The treasurer appointed by the board of township supervisors if an individual shall give bond with [at least two sufficient sureties or a surety company to be approved by] a surety company or other company authorized by law to act as surety and filed with the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township and all moneys paid by the State to the township and received by him only upon a written order signed by two members of the board of supervisors for the delivery to his successor in office of all books papers and documents for the payment to such successor of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kohl,	Petrosky,	Waterhouse,
Curwood,	Kolankiewicz,	Pettigrew,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Floyd,	Lutty,	Royer,	Zeitz,
Flynn,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	

NAYS—1

Frost,

NOT VOTING—3

Bomberger, Kline, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 416, Printer's No. 135 and

Senate Bill No. 435, Printer's No. 210

were passed over at the request of the SPEAKER.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL 953 FROM GOVERNOR

Mr. WOOD asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 26, 1953.

Resolved (if the Senate concur), that House Bill No. 953, Printer's No. 152, entitled "An act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards," be recalled from the Governor for the purpose of amendment and further study.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL 1007 FROM GOVERNOR

Mr. TOMPKINS asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 26, 1953.

Resolved (if the Senate concur), that House Bill No. 1007, Printer's No. 139, entitled "An act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled 'An act providing for payment of costs in criminal cases by the proper county' by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

CONDOLENCE

Messrs. CONNELLY, CONOR and LIPPENCOTT offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 26, 1953.

Mrs. Sallie G. Bullen, the wife of J. Warren Bullen and the Mother of J. Warren Bullen, Jr., one of our members, died at her home in Folcroft, Saturday, May twenty-third.

Mrs. Bullen was the mother of three children. She was active in church and civic affairs in her community. Her ceaseless efforts toward improving the lot of her fellow citizens were a stimulus to all who worked with her and shall be an inspiration to them as they continue her noble work.

Her civic and religious work was dwarfed by her extraordinary accomplishments as a mother. A deep sense of justice and patriotism coupled with profound religious convictions were the tools of trade in rearing her family. The extent to which her teachings were inculcated in her children is evidenced by the high regard in which they are held by their fellow citizens.

A mother's monument to her life's work is found in the character of her children and the monument of Mrs. Bullen is of the greatest proportions; therefore be it

Resolved, That the House of Representatives extends its deepest sympathy to the husband and children of Mrs. Bullen, and offers them consolation in the knowledge that hers was a full and good life; and be it further

Resolved, That the clerk of the House of Representatives send copies of this resolution to the husband and children of Mrs. Bullen.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 26, 1953.

Resolved (if the Senate concur), that House Bill No. 347, Printer's No. 53, entitled "An act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (Pamphlet Laws 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery forgery or fraud," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 352.

An Act to further amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age

HOUSE BILL No. 354.

An Act to further amend the act approved the seventeenth day of April one thousand eight hundred seventy-six (P. L. 29) entitled "An act relating to appeals in cases of summary convictions" by extending the time within which appeals may be taken.

HOUSE BILL No. 462.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

HOUSE BILL No. 796.

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties.

HOUSE BILL No. 954.

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An

act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms.

HOUSE BILL No. 1077.

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved.

HOUSE BILL No. 1078.

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age, or to aid, abet, entice, or encourage such children in the commission of any crime, or to assist or encourage such children in violating a parole or order of court; prescribing penalties.

HOUSE BILL No. 1212.

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity

With the information that the Senate has passed the same without amendment.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

PERMISSION TO ADDRESS HOUSE

Mr. MAXWELL asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to read an editorial from the Monessen Daily Independent, which is one of the finest little newspapers in the state. This paper is also very much a Republican paper. Therefore, the editor, Mr. Pore and I do not always see eye to eye on many issues.

However, every once and a while Mr. Pore dives down deep and comes up with a perfect gem.

This little gem entitled "Out of order" I would now like to read for the enlightment and guidance of the Republican membership.

> The Republican leaders of the House of Representatives at Harrisburg have promised us "an historic session" next week. In the words of Majority Leader Albert W. Johnson:
>
> "The time has come when we must get down to business." (Amen).
>
> "Next week we hope to have an historic session. We hope to get an alternative program, balance the budget, make some cuts in appropriation requests, and get you fellows home."
>
> We could not help but notice the order in which Rep. Johnson intends to make history. First there will be a tax program, then the budget will be balanced ,then appropriations will be cut.
>
> In our judgment, this is exactly in reverse. The cuts should come before the taxes.
>
> And because it has been working in reverse, the Republican leadership has almost set a record for do-nothingness at this session. It has confused the rank and file of its own party; it has confused the public, and it has confounded itself.
>
> With all respect to Rep. Johnson, we doubt that any history is going to be made at Harrisburg—unless it is a history of futility—until the legislators start putting first things first. And the first thing, it has been obvious from the start, is to bring the expenses of the state government under control along the lines suggested by the Chesterman committee. The Republicans at Harrisburg simply are refusing to do the job which the Republicans at Washington are trying so valiantly to do.
>
> The Fine administration has defeated itself with its incessant talk about new taxes before it has convinced the people that it has done a thorough job of economy. The American people at last have become so tax conscious that they simply are not going to take any more that can't be proven necessary beyond any reasonable doubt.
>
> This session of the legislature is going to be a failure—a political failure, an administrative failure, an economic failure—until the Republican leadership comes to its senses and puts itself in tune with the people.

In closing I would like to add that if we had a few Republican leaders as Members of the House like Mr. Pore, I am sure that this session would have ended a month ago.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, again I want to say that not only the Republican side of the House but the Democratic side have worked hard this session. We know what the problem is. We know that the budget of Governor Fine is a conservative, economical budget. It is cut rght down to the bone. Few people realize that here in Pennsylvania we have been operating all these years on skimpy budgets. We have been skimping by and glossing over expenditures that should be made for the welfare of the people of this Commonwealth.

It is easy enough for an editor of a newspaper to sit back in his office in a plush chair or in the quiet tranquility of his home and think we are dawdling and fooling away our time here in Harrisburg. That absolutely is not true.

Every Member here is working just as hard as he can. I will say this, I have never worked harder in my life than I have worked in this session trying to straighten out the affairs of this Commonwealth. As I say, when newspaper men back home who are not familiar with the problem who just read a few terse explanations from the press section here,—and I will say that these men down front here have given us a good break this session, what they have recorded has been factual, but I say that back home people are not getting the real picture.

Governor Fine's budget is a fair budget and sound budget. It is one that we must balance, and to try to put through a broad base tax in order to do that job is taking time. We eventually hope to do the job on both sides of this House. I think we, as a Legislature, as a Republican party, have been unfairly criticised throughout Pennsylvania for the job that we are sincerely trying to do here. I am sick and tired of reading editorials

about the Chesterman report. If anybody would carefully read that report, they would know that Governor Fine has already integrated $8 million of savings in his budget, and if we adopt the report in toto this session we will only save $10 to $12 million.

The newspapers throughout the state have been heralding a $100 million savings. The quicker they tell the people that that is not true, the better everybody will be —both Democrats and Republicans. I think it is about time that the people of Pennsylvania were told the real story of the job that must be done here in order to balance this budget, in order to run our schools, in order to save our hospitals. I suppose this editor would have us turn out ten percent of the people who are now in institutions. We have 55,000 people in institutions, let us take 5,000 of them and put them on the general public. That will save ten percent in the budget. But we cannot do that. Instead of that we have 5 or 10 thousand who ought to be in mental institutions and welfare institutions that are a burden to society.

I say we are doing a sincere job here, and I think the criticism we have received is unwarranted, unnecessary and absolutely untrue.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the Majority Leader says he never worked harder in his life. I am simply telling him that he "ain't seen nothing yet."

COMMITTEE MEETINGS

CITIES—THIRD CLASS—Mr. Mikula, Chairman, Room 521, Wednesday, May 27, at 10:30 a. m. DST.

EDUCATION—Mr. Helm, Chairman, Room 324, Wednesday, May 27, at 9:30 a. m. DST.

ELECTIONS and APPORTIONMENT—Mr. Weidner, Chairman, Room 329, Wednesday, May 27, at 10:15 a. m. DST.

HIGHWAYS—Mr. Royer, Chairman, Room 329, Wednesday, May 27, at 11:30 a. m. DST.

INSURANCE—Mr. Kline, Chairman, Room 330, Wednesday, May 27, at 10:30 a. m. DST.

MINES and MINING—Mr. Hewitt, Chairman, Room 323, Wednesday, May 27, at 11:00 a. m. DST.

MOTOR VEHICLES—Mr. Guthrie, Chairman, Room 522, Wednesday, May 27, at 11:00 a. m. DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Wednesday, May 27, at 11:00 a. m. DST.

STATE GOVERNMENT—Mr. Watkins, Chairman, Room 324, Wednesday, May 27, at 10:00 a. m. DST.

CITIES-COUNTIES—FIRST-SECOND and SECOND CLASS A—Mr. Ewing, Chairman, immediately after today's session in conference room left of the rostrum.

ADJOURNMENT

Mr. CURWOOD. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 27, 1953 at 1:00 p. m. EST.

The motion was agreed to, and (at 4:20 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., WEDNESDAY, MAY 27, 1953. No. 45.

SENATE

WEDNESDAY, May 27, 1953.

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Our dear Lord and Father, as we look around ourselves and see the beautiful flowers and trees and fields, we are reminded of Thy goodness. When we see the abundance of everything, we are reminded of Thy kindness and Thy love, and then when we know that Thou wilt guide us in our deliberations and do the work to help others, we again feel the depth of Thy love.

Use us in whatever way Thou canst to build Thy Kingdom in peace and love, in the Master's Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. CROWE, because of important pressing business.

Mr. STIEFEL asked and obtained leave of absence for himself for tomorrow's Session.

Mr. SILVERT asked and obtained leave of absence for himself for tomorrow's Session.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session today, at four o'clock p. m., Eastern Standard Time.

JOHN S. FINE.

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Mr. MADIGAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MADIGAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Wednesday, May 27, 1953, at four o'clock p. m., E. S. T. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT SESSION

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Wednesday, May 27, 1953, at four o'clock p. m., E. S. T. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

SENATE CONCURRENT RESOLUTION

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. MILLER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur),

That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

COMMITTEE APPOINTED

The PRESIDENT. The Chair wishes to announce that the President pro tempore has appointed as a committee to escort the Governor to the Hall of the House, the gentleman from Bucks, Mr. Watson; the gentleman from Schuylkill, Mr. Wagner; and the gentleman from Philadelphia, Mr. McCreesh.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 213, entitled:

An Act to further amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws," by extending the scope of local option to include granting of importing distributors' licenses permitting the transfer of distributors' and importing distributors' licenses to other municipalities within the same county under certain circumstances

Which was committed to the Committee on Judiciary General.

House Bill No. 1003, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers; prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health, and providing for payments of expenses by townships.

Which was committed to the Committee on Local Government.

House Bill No. 1118, entitled:

An Act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania by any foreign corporation, limited partnership or joint-stock association; requiring the filing of reports; providing for rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; imposing interest and penalties; and repealing a certain act relating to foreign corporations, limited partnerships and joint-stock associations.

Which was committed to the Committee on Finance.

House Bill No. 1119, entitled:

An Act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital, or capital of domestic corporations, banks, and trust companies, and certain partnerships; providing for the computation, payment, assessment, settlement and resettlement of the tax, and reviews and appeals therefrom; conferring powers, and imposing duties on certain persons, corporations and certain partnerships, State officers, boards and departments; requiring certain reports; creating a lien for unpaid tax; imposing penalties; and repealing certain acts relating to corporations and certain partnerships.

Which was committed to the Committee on Finance.

House Bill No. 1283, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by requiring corporate surety on certain bonds.

Which was committed to the Committee on Local Government.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 953

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 26, 1953.

Resolved, (If the Senate concur), That House Bill No. 953, Printer's No. 152, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

be recalled from the Governor for the purpose of amendment and further study.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1007

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 26, 1953.

Resolved, (If the Senate concur), That House Bill No. 1007, Printer's No. 139, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. McCUSKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCUSKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 8, 1953 at three o'clock p. m., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, June 8, 1953 at twelve o'clock noon, E. S. T.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. WAGNER, from the Committee on State Government, reported as committed Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 247, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; further prescribing the power of the retirement board to provide minimum retirement allowances.

He also, from the Committee on State Government, reported as committed Senate Bill No. 256, entitled:

An Act to further amend part of Section 202 and to add Section 463 and 1314 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on said commission.

He also, from the Committee on State Government, reported as committed Senate Bill No. 257, entitled:

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in certain political subdivisions and revising, consolidating and making the law uniform relative thereto; conferring certain powers and duties on the State Auctioneers' Commission and on certain departments and officers of the State and local governments; providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

He also, from the Committee on State Government, reported as committed Senate Bill No. 537, entitled:

An Act reinstating members of the Pennsylvania State Police Force heretofore summarily dismissed.

He also, from the Committee on State Government, reported as committed Senate Bill No. 603, entitled:

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee; providing for its membership; and defining its powers and dutes.

He also, from the Committee on State Government, reported as committed Senate Bill No. 607, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom and pro-

viding for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining final salary; changing provisions relating to superannuation retirement and withdrawal; changing provisions for determining amount earnable by members of the General Assembly; authorizing members of the General Assembly to make certain payments into the State Employes' Retirement Fund and secure benefits therefrom.

He also, from the Committee on State Government, reported as committed Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

BILLS INTRODUCED AND REFERRED

Mr. FREED read in his place and presented to the Chair Senate Bill No. 643, entitled:

An Act concerning notaries public and amending, revising, and consolidating and changing the law relating thereto.

Which was committed to the Committee on Judiciary General.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 644, entitled:

An Act to repeal Section 1 of the act, approved the twenty-first day of June, one thousand nine hundred forty-seven (P. L. 765), entitled "An act fixing the fees of the recorder of deeds in counties of the sixth, seventh and eighth class."

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 645, entitled:

An Act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth class.

Which was committed to the Committee on Local Government.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 646, entitled:

An Act regulating the number of hours of duty in any calendar week for paid firemen employed by boroughs and townships without diminuation of existing salaries or compensation.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 647, entitled:

An Act regulating the number of hours of duty in any calendar week for police officers employed by certain municipalities and townships without diminuation of existing salaries or compensation.

Which was committed to the Committee on Local Government.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 648, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by fixing rights of shareholders who disclaim rights in certain suits of corporations.

Which was committed to the Committee on Corporations.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 649, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by increasing certain minimum requirements of proof of financial responsibility.

Which was committed to the Committee on Highways.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 35, Printer's No. 253, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 96, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting farm fish ponds and certain species of fish contained therein from the provisions of the fish law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Chapter II of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising

consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended by adding at the end thereof a new article to read as follows

Chapter II

Fishing Regulations Applying to Inland Waters

Article VI

Farm Fish Ponds

Section 56 Farm fish ponds every artificial fish pond not exceeding two acres in surface area inhabited by catfish sunfish or bass and holding water the source of which is wholly within the limits of such farm or from waters in which there are no game fish and which ponds are used for propagating and harvesting of such fish for the personal use of the owner or lessee of the farm and persons residing or regularly employed upon the farm shall be exempt from all provisions of the fish law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Harney,	McCusker,	Stiefel,
Barr,	Holland,	McGinnis,	Taylor,
Berger,	Kephart,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Wood,
Haluska,	McCreesh,	Stevenson,	Yosko,
Hare,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 236, Printer's No. 223, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 470, as follows:

An Act to add Section 626.1 to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the sale or the possession of knives the blade of which is released by a spring mechanism including switch blades

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after Section 626 thereof a new section to read as follows

Section 626.1 Sale or Possession of Spring-Operated and Switch Blade Knives Prohibited (a) Whoever sells offers for sale or has in his possession any knife the overall length of which when closed exceeds three and one-half (3½) inches and the blade of which is released by a spring mechanism including knives commonly known as "switch blades" is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undrgo imprisonment not exceeding six (6) months

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Harney,	McCusker,	Stiefel,
Barr,	Holland,	McGinnis,	Taylor,
Berger,	Kephart,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Wood,
Haluska,	McCreesh,	Stevenson,	Yosko,
Hare			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 525, as follows:

An Act to amend the title and subsection (h) of Section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" is hereby amended to read as follows

An Act

To provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus ma-

terials devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties

Section 2 Subsection (h) of Section 2 of said act as amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 945) is hereby further amended to read as follows

Section 2 General Safety and Health Requirements

* * * * *

(h) When employes due to the nature of employment are subject to injury from flying particles falling objects sharp or rough surfaces or materials hot corrosive or poisonous substances acids or caustics and injurious light rays or harmful radioactive materials they shall be provided with and shall wear goggles other head and eye protectors gloves leggings and other personal protective devices

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Harney,	McCusker,	Stiefel,
Barr,	Holland,	McGinnis,	Taylor,
Berger,	Kephart,	McMenamin,	Toole,
Blass,	Kessler,	McPherson, Jr.	Wade,
Camiel,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Lane,	Pechan,	Walker,
Dent,	Leader,	Peelor,	Watkins,
Diehm,	Letzler,	Propert,	Watson,
DiSilvestro,	Madigan,	Ruth,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	Mallery,	Snowden,	Wood,
Haluska,	McCreesh,	Stevenson,	Yosko,
Hare,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 38, Printer's No. 199, and

House Bill No. 42, Printer's No. 295.

The PRESIDENT: Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating in public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "asstance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 2, (Sec. 4), page 6, line 12, by inserting after "such": "[board]."

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WATKINS. Mr. President, I ask unanimous consent that Senate Bill No. 54, on second reading, go over in its order, as amended.

The PRESIDENT: Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 59, Printer's No. 258, on second reading, go over in its order.

The PRESIDENT: Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 156, entitled:

An Act to further amend clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entited "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Pub-

lic Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by providing that where the Commonwealth assigns to a third party any lien or obligation secured for repayment of public assistance the assignee can collect thereon only the amount he paid to the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 273, entitled:

An Act fixing the fees and mileage of the Coroner in counties of the third class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security thereof prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 290, Printer's No. 255,
House Bill No. 343, Printer's No. 128,
Senate Bill No. 361, Printer's No. 261,
Senate Bill No. 362, Printer's No. 262,
Senate Bill No. 363, Printer's No. 263,
Senate Bill No. 364, Printer's No. 264,
Senate Bill No. 365, Printer's No. 265,
Senate Bill No. 366, Printer's No. 266,
Senate Bill No. 367, Printer's No. 267,
Senate Bill No. 402, Printer's No. 276,
Senate Bill No. 450, Printer's No. 178,
Senate Bill No. 451, Printer's No. 179,
Senate Bill No. 452, Printer's No. 180, and
Senate Bill No. 480, Printer's No. 277.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 496, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure relating to incompetents' estates" by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 497, entitled:

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 503, Printer's No. 269,
Senate Bill No. 504, Printer's No. 270, and
Senate Bill No. 523, Printer's No. 232.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 531, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 534, Printer's No. 272,
Senate Bill No. 563, Printer's No. 273, and
Senate Bill No. 618, Printer's No. 274.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensel with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers farehouses receipts bills or lading other documents of title investment securities and secured transactions including certain sales of accounts chattel papers and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto by adding a sub-section to Section 9-104 thereof excluding from the application of Article 9 of the Act assignments or other transfers of interest or claims in or under any policies of insurance

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1, page 3, line 1 by striking out "papers" and inserting in lieu thereof: "paper"; Amend Sec. 1, page 3, by inserting between lines 6 and 7: "Section 9—104. Transactions Excluded from Article.—This Article does not apply * * * *"; Amend Sec. 1, page 3, line 7 by striking out "(c)" and inserting in lieu thereof: "(g)".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend Title, page 2, top line of page, by striking out "papers" and inserting in lieu thereof: "paper".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 624, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 779, entitled:

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 1, page 2, lines 4 and 5 by striking out "Extended time for practice unless licensed and registered."

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth and sixth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend Title, page 2, 4th line from top of page, by inserting after "Licensure" where it appears the first time: "extending time for practice unless licensed and registered."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 779, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 815, entitled:

An Act to reenact the title and reenact and further amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" by changing the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 970, Printer's No. 186, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such contracts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1101, Printer's No. 225,

House Bill No. 1152, Printer's No. 298, and

House Bill No. 1267, Printer's No. 258.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1334, entitled:

An act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

THE HONORABLE JOHN C. BELL, JR. PRESENTED TO SENATE

The PRESIDENT. The Chair would like to call to the attention of the Members of the Senate the presence of a distinguished predecessor of the Chair's, who is now a Justice of the Supreme Court, the Honorable John C. Bell, Jr.

Will Justice Bell please rise in place and take a bow?

JOINT SESSION

The hour of three-fifty p. m. having arrived, Messrs. BOYER and KOLANKIEWICZ, a committee on the part of the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of hearing an address by His Excellency, the Governor.

Whereupon,

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM HOUSE

After some time, the President and Members of the Senate returned to the Senate Chamber.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL No. 582

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 582, entitled:

An Act makng an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty three

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 352, entitled:

An Act to further amend the act approved the second day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "Juvenile Court Law," by further regulating the confinement of juvenile under eighteen years of age.

House Bill No. 354, entitled:

An Act to further amend the act approved the seventeenth day of April, one thousand eight hundred seventy-six (P. L. 29), entitled "An act relating to appeals in cases of summary convictions," by extending the time within which appeals may be taken.

House Bill No. 462, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Public Assistance and provding for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-three.

House Bill No. 796, entitled:

An Act to amend Section 916 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "The Penal Code," by making it a crime to injure or break television towers, wires, cables, or to interfere with the electrical signals thereof and providing penalties.

House Bill No. 954, entitled:

An Act to further amend sections 530 and 532 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by regulating terms of persons appointed to offices of commissioner, treasurer or controller for unexpired terms.

House Bill No. 1077, entitled:

An Act to amend Article XI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes of attempts to commit such crimes wherein minors under eighteen years of age are involved.

House Bill No. 1078, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "The Penal Code," by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age, or to aid, abet, entice, or encourage such children in the commission of any crime, or to assist or encourage such children in violating a parole or order of court; prescribing penalties.

House Bill No. 1212, entitled:

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; further prescribing the power of the retirement board to provide minimum retirement allowances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 256, entitled:

An Act to further amend part of Section 202 and to add Sections 463 and 1314 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and adminstrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Srhools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and adminstratve officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction; fixing the qualifications and compensation of members and imposing certain duties on said commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 257, entitled:

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in certain political subdivisions and revising, consolidating and making the law uniform relative thereto; conferring certain powers and duties on the State Auctioneers' Commission and on certain departments and officers of the State and local governments; providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 537, entitled:

An Act reinstating members of the Pennsylvania State Police Force heretofore summarily dismissed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 603, entitled:

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee; providing for its membership; and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 607, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining final salary; changing provisions relating to superannuation retirement and withdrawal; changing provisions for determining amount earnable by members of the General Assembly; authorizing members of the General Assembly to make certain payments into the States Employes' Retirement Fund and secure benefits therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Thursday, May 28, 1953, at 12:01 o'clock a. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:59 o'clock p. m., Eastern Standard Time, until Thursday, May 28, 1953, at 12:01 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 27, 1953

The House met at 1:00 p. m. E. S. T.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Guest Chaplain, Reverend John Yates, Harrisburg, offered the following prayer:

Our heavenly Father, bless and guide the Members of this Assembly today so that whatever is devised and enacted may redound to the honor and welfare of this Commonwealth and to the glory of Thy Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Tuesday, May 26, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Tuesday, May 26, 1953, be postponed until the Journal is in print.

The motion was agreed to.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. HOCKER asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

Mr. FLACK asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Mr. CONNELLY (By request).

HOUSE BILL No. 1398.

An Act to further amend Section 5 of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attedance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting employment of male minors fourteen years of age or over in public bowling alleys.

Referred to the Committee on Labor Relations.

By Mr. GUTENDORF. HOUSE BILL No. 1399.

An Act to further amend Section 3 of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522) entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," by requiring attachment to application for dog license, certificate of veterinarian that dog has been vaccinated against rabies.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. WOOD and BOWER.

HOUSE BILL No. 1400.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions relating to medical and dental examinations of school children, teachers and other employes.

Referred to the Committee on Education.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 1401.

An Act authorizing corporations to grant stock, options, pensions and allowances under certain circumstances, and validating stock options, pensions and allowances heretofore granted.

Referred to the Committee on Judiciary.

By Mr. PRICE. HOUSE BILL No. 1402.

An Act to amend the title and Section 1 of the act, approved the thirty-first day of May, one thousand nine hundred thirty-three (P. L. 1108) entitled "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," by eliminating the exception of the chief and deputy chiefs of fire departments from the operation of the act.

Referred to the Committee on Cities—Third Class.

By Mr. MULDOWNEY. HOUSE BILL No. 1403.

An Act providing for the observance of May first, of each year, as Loyalty Day.

Referred to the Committee on State Government.

By Messrs. McCULLOUGH and MAHAN.

HOUSE BILL No. 1404.

An Act to further amend Section 431 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing counties of the fifth class to make appropriations for Armed Services Day observance.

Referred to the Committee on Counties.

By Mr. WILBUR H. HAMILTON.

HOUSE BILL No. 1405.

An Act to amend Section 1 of the act, approved the twelfth day of June, one thousand nine hundred thirteen (P. L. 492) entitled "An act authorizing cities of the first and second class to compensate employees for time lost, while in the employ of the city, as a result of injuries, sickness or disablement of any kind sustained while in the performance of their duties," by excluding firemen in cities of the first class, from the provisions of this act.

Referred to the Committee on Cities-Counties First-Second and Second Class A.

By Messrs. WILBUR H. HAMILTON and HERSCH. HOUSE BILL No. 1406.

An Act providing for emergency first aid stations by making all fire houses in the Commonwealth of Pennsylvania, with certain accommodations, casualty stations.

Referred to the Committee on Municipal Corporations.

By Messrs. TOLL and LIPPINCOTT.

HOUSE BILL No. 1407.

An Act to amend Section 1203 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities, the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and the register of wills in all matters relating to fiduciaries," by providing for the distribution of real property of a spouse presumed to be dead, having an interest in entireties therein.

Referred to the Committee on Judiciary.

By Messrs. BLAIR and QUISENBERRY.

HOUSE BILL No. 1408.

An Act making resolutions of school districts which impose a tax valid, notwithstanding failure to advertise intention to adopt such resolutions in a newspaper of general circulation within such school districts.

Referred to the Committee on Education.

By Messrs. MIKULA and JUMP. HOUSE BILL No. 1409.

An Act to further amend subsection (a) of Section 1110 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds" by permitting cities by unanimous vote of council to erect traffic signals without the prior approval of the Secretary of Highways.

Referred to the Committee on Motor Vehicles.

By Mr. KUBACKI. HOUSE BILL No. 1410.

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the registration, inspection, and certification of vehicles defined as "super-speed motor vehicles," restricting their operation, requiring certification and examination of operators thereof, providing penalties.

Referred to the Committee on Motor Vehicles.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. TOLL, HERSCH, SEYLER, ALEXANDER, WORLEY, POLTENSTEIN, SCHMIDT and WELSH (Concurrent) RESOLUTION No. 60

In the House of Representatives, May 26, 1953.

Whereas World War II witnessed the organized butchery of racial groups by one of the participating nations; and

Whereas, Such conduct so shocked the conscience of civilized men that after World War II it had come to be accepted that such conduct could no longer be tolerated in civilized society, and that it should be prohibited by the international community; and

Whereas, In 1948 the representative of the United States appealed to tre General Assembly of the United Nations to endorse the Declaration on Human Rights and to draft a covenant which will seek to translate human rights into law; and

Whereas, In 1950 the Deputy Under Secretary of State asked a Senate Foreign Relations Subcommittee to ratify a United Nations Convention designed to protect minorities; and

Whereas, The question of the ratification of the United Nations Convention against genocide has been pending before the Senate Foreign Relations Committee for over four years; and

Whereas, An abrupt change in policy by the United States Government on the whole question of human rights guarantees recently revealed, created marked pessimism in the United Nations Commission on Human Rights which had expected the United States delegation to continue to take the lead in preparing a draft covenant; and

Whereas, The position of world leadership which was established for the United States by the American representatives on the United Nations Human Rights Commission appears to have been abandoned without a struggle, Therefore be it

Resolved, (If the Senate concur) That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to return to its position as a leader in the movement to further implement the Declaration on Human Rights and to draft a covenant which will seek to translate human rights into law; and be it further

Resolved, That a copy of this resolution be sent to the President, the Vice President, President Pro Tempore of the Senate and Speaker of the House of Representatives of the United States and to each member of the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 31.

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including corn shellers in the definition of "Farm Tractor" and in the classification of tractors.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 199.

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a greivance procedure; and providing for hearings before civil service and tenure authorities," and in certain cases before the Pennsylvania Labor Relations Board," by making certain changes in the greivance procedure provided for in the act.

Referred to the Committee on Labor Relations.

SENATE BILL No. 465.

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges;" by increasing the permitted amount of insurance coverage in certain cases.

Referred to the Committee on Insurance.

SENATE BILL No. 550.

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds, and the effect thereof.

Referred to the Committee on Judiciary.

SENATE BILL No. 572.

An Act to further amend Section 18 of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" by providing for filing summaries of audits and for annulling vacating or forfeiture of articles of association or associations failing to file such summaries.

Referred to the Committee on Judiciary.

SENATE BILL No. 573.

An Act to further amend Section 17 of the act approved the thirtieth day of April one thousand nine hundred twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and definng agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by providing for filing summaries of audits and for annulling vacating or forfeiture of articles of association failing to file such summaries.

Referred to the Committee on Judiciary.

SENATE BILL No. 581.

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947".

Referred to the Committee on Appropriations.

SENATE BILL No. 589.

An Act to further amend Section 1 of the act, approved the twenty-seventh day of March, one thousand nine hundred twenty-nine (P. L. 84), entitled "An act to fix the fees to be charged by coroners in counties of the second class," by increasing fees to be charged.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

SENATE BILL No. 593.

An Act to establish a separate orphan's court in and for the County of Chester.

Referred to the Committee on Judiciary.

SENATE BILL No. 596.

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," by extending the powers of cities relating to certain tunnels, bridges and viaducts.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 597.

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by extending the benefits to certain authorities created by such cities.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. RAGOT asked and obtained unanimous consent to add additional sponsors to a bill he is about to report.

Mr. SCHWARTZ asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORTS FROM COMMITTEES

Mr. SEYLER from the Committee on State Government, reported as committed, Senate Bill No. 41, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; enlarging the jurisdiction and powers of said commission with respect to the acquisition, construction, administration, operation, and maintenance of port and terminal facilities, the financing thereof, and the fixing, charging and collecting of tolls and other charges for the use of said port and terminal facilities; authorizing the issuance of negotiable bonds and obligations of the commission; providing for the designation of deputies to act for and in behalf of absent ex-officio members of said commission from Pennsylvania; authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission; and authorizing the Governor to aply; on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

Mr. SCHMIDT from the Committee on Education, reported as committed, Senate Bill No. 163, entitled:

An Act to further amend the last paragraph of section five hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177, entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers, and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by electric cooperative corporations.

Mr. VAN SANT, from the Committee on Military Affairs, reported as committed, Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

Mr. SPENCER, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 217, entitled:

An Act to repeal the act, approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps are filed within a certain time; and imposing duties and conferring powers on recorders of deeds," and all acts amending the same, and validating zoning ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law.

Mr. SPENCER, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 218, entitled:

An Act to repeal the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office; invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time; and imposing duties and conferring powers on recorders of deeds," and all acts amending the same, and validating building ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law.

Mr. STIMMEL, from the Committee on Insurance, reported as committed, Senate Bill No. 262, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by continuing the provisions of that section in effect for a further period.

Mr. ROBERT K. HAMILTON from the Committee on Insurance, reported as committed, Senate Bill No. 292, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact, requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance, fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies.

Mr BEAR from the Committee on Insurance, reported as committed, Senate Bill No. 299, entitled:

An Act to amend sections two hundred three and three hundred eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by changing certain qualifications of incorporators, directors and trustees.

Mr. KAMYK from the Committee on Insurance, reported as committed, Senate Bill No. 302, entitled:

An Act to amend section 308 of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filling thereof.

Mr. RICHTER from the Committee on Insurance, reported as amended, Senate Bill No. 304, entitled:

An Act to further amend Section 3 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-one (P. L. 276) entitled, as last amended, "An act requiring persons, partnerships, associations, or corporations advertising for or soliciting business as adjusters of claim within this Commonwealth for loss or damage arising out of policies of insurance, surety, or indemnity on property, persons, or insurable business interests within this Commonwealth, to be licensed by the Insurance Commissioner; requiring persons, partnerships, associations, or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner; regulating the issuance and revocation of such licenses; prescribing certain conditions for the transaction of such business, providing for the filing of bonds by public adjusters and public adjuster solicitors, and for recovery thereon by parties in interest; and providing penalties," by further regulating the licensing and conditions for transaction of such business.

Mr. RICHTER from the Committee on Mines and Mining, reported as committed, Senate Bill No. 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or trip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining; requiring operators to register, pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act; requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health, safety and welfare; conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters; providing for apeals, and imposing penalties, and making appropriations," by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 327, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making the Pennsylvania Historical and Museum Commission a departmental administrative commission in the Department of Public Instruction, and prescribing its powers and duties.

Mr. KELLER, from the Committee on State Government, reported as committed, Senate Bill No. 329, entitled:

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare.

Mr. KELLER, from the Committee on State Government, reported as committed, Senate Bill No. 336, entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, by making changes in the appointment and tenure of the Superintendent of Public Instruction.

Mr. KELLER, from the Committee on State Government, reported as committed, Senate Bill No. 338, entitled:

An Act to amend Section 408 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and adminisrtative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commisisons; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by removing the Superintendent of Public Instruction from membership on the State Council of Education and further regulating appointment of members.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 341, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by establishing the Department of Health and Welfare; transferring to it the powers and duties of the Department of Health, Department of Welfare and Department of Public Assistance; providing for a Secretary of Health and Welfare; defining his powers and duties; and abolishing the Department of Health, the Department of Welfare and the Department of Public Assistance.

Mr. PFAFF from the Committee on Insurance, reported as committed, Senate Bill No. 349, entitled:

An Act to further amend the act aproved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

Mr. TOMPKINS from the Committee on State Government, reported as committed, Senate Bill No. 352, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1798) entitled "An act providing a fixed charge payable by the Commonwealth on lands acquired by the State and the Federal Government for forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks and the distribution of the same for county school township and road purposes in the counties school districts and townships where such forests are located and making an appropriation" by increasing the amounts of payments from the Commonwealth to counties.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 410, entitled:

An Act to amend subsection (e) of Section three of the act approved the nineteenth day of March one thousand nine hundred fifty-one (P. L. 28) entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense Mobile Support Units prescribing the powers duties and immunities thereof and of their personnel authorizing mutual aid compacts and providing penalties" by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 411, entitled:

An Act to repeal the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 111) entitled "An act relating to and providing for the promotion and development of business industry and commerce in the Commonwealth conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth abolishing the Pennsylvania State Publicity Commission terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to the Department of Commerce and repealing certain laws"

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 412, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reor-

ganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Department of Commerce and terminating the terms of its officers and employes

Mr. BROWN from the Committee on Insurance, reported as committed, Senate Bill No. 446, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating workmen's compensation and occupational disease insurance rates and changing the provision relating to such insurance as to policy requirements suits for premiums and annual reports.

Mr. NAUGLE from the Committee on Insurance, reported as committed, Senate Bill No. 447, entitled:

An Act to amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

Mr. KLINE from the Committee on Insurance, reported as committed, Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring noitce of conversion privileges" by increasing the permitted amount of insurance coverage in certain cases.

Mr. SCHMIDT from the Committee on Education, reported as amended, Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 501, entitled:

An Act to further amend Sections 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursements from the Historical Preservation Fund.

Mr. KELLER from the Committee on State Government, reported as committed Senate Bill No. 518, entitled:

An Act to amend section 2 of the act, approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608), entitled "An act merging and consolidating State housing with State planning; merging the State Board of Housing with the State Planning Board; establishing a State Planning Code; and repealing certain act," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-seven (Appropriation Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 520, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain

administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the Pennsylvania Aeronautics Commission from the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 521, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs, and changing the membership of the board.

Mr. KELLER from the Committee on State Government, reported as committed, Senate Bill No. 522, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative offifficers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

Mr. BOWER from the Committee on Appropriations, reported as amended, Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

Mr. YOUNG from the Committee on Motor Vehicles, reported as committed, House Bill No. 27, entitled:

day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties uponthe Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides.

Mr. KOHL from the Committee on State Government, reported as committed, House Bill No. 115, entitled:

An Act to further amend section two hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieuteuant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the maximum aggregate number of officers and men in the State Police Force.

Mr. WOOD from the Committee on State Government, reported as committed, House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commission; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of

certain departments, boards and commissions shall be determined," by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare, defining its powers and duties.

Mr. PARLANTE from the Committee on Motor Vehicles, reported as committed, House Bill No. 135, entitled:

An Act to further amend Section 1204 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by giving defendant right to elect to be tried by jury.

Mr. SCHMIDT from the Committee on State Government, reported as committed, House Bill No. 155, entitled:

An Act to further amend Clause (f) of Section 448 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administravie officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by increasing the membership of the Advisory Health Board to include one doctor of osteopathy.

Mr. THOMAS H. W. JONES from the Committee on Elections and Apportionment, reported as committed, House Bill No. 162, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the withdrawing of deceased candidate's name by the county board of elections in certain cases.

Mr. MOSCRIP from the Committee on Elections and Apportionment, reported as amended, House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominating of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by increasing the minimum compensation payable to judges of election in third to eighth class counties.

Mr. RAGOT from the Committee on Elections and Apportionment, reported as committed, House Bill No. 301, entitled:

An Act to further amend the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration, commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by further regulating registration of persons in military service.

Mr. YOUNG from the Committee on Motor Vehicles, reported as committed, House Bill No. 342, entitled:

An Act to further amend subsection (c) of section nine hundred two and subsection (f) and the penalty clause of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing pen-

alties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses and by further prescribing gross weights and axle weights of motor buses having six or more wheels.

Mr. BARKDOLL from the Committee on Motor Vehicles, reported as committed, House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

Mr. LAFORE from the Committee on Motor Vehicles, reported as committed, House Bill No. 470, entitled:

An Act to amend subsections (d) and (f) of section 816.1 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks theeof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon the owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing panalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by eliminating the provisions which require trailers and semi-trailers to be equipped with safety glass.

Mr. ROVANSEK from the Committee on Mines and Mining, reported as committed, House Bill No. 506, entitled:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting shotfirers to carry approved electric lamps.

Mr. BUCCHIN from the Committee on Motor Vehicles, reported as committed, House Bill No. 630, entitled:

An Act to further amend Section 1207 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds" by further providing for the disposition of certain fines and penalties collected and bail forfeited.

Mr. WOOD from the Committee on Education, reported as committed, House Bill No. 672, entitled:

An Act to further amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for State payments to approved sublessees.

Mr. RAGOT from the Committee on Elections and Apportionment, reported as committed, House Bill No. 738, entitled:

An Act to further amend Section 28 of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by providing that removal notices may be filed by registered electors moving from one election district to another within the same county.

Mrs. VARALLO from the Committee on Education, reported as committed, House Bill No. 772, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,"

by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district, and the basis for Commonwealth reimbursements on account of courses for such children.

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches, more or less, of land in Ephrata Township, Lancaster County, Pennsylvania with the approval of the Governor.

Mr. PRICE from the Committee on State Government, reported as committed, House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville, Jefferson County, Pennsylvania, with the approval of the Governor.

Mr. WOOD from the Committee on Education, reported as amended, House Bill No. 834, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An Act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for supervision over joint school systems when a district having a district superintendent is a party to the jointure, and for the election and salary of the district superintendent in such cases; and to reenact provisions for the minimum salary of associate superintendents in districts of the third class.

Mr. WILLIAMS from the Committee on Mines and Mining, reported as committed, House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement, procedure and penalties and providing for an additional form of appeal.

Mr. FROST from the Committee on State Government, reported as committed, House Bill No. 1019, entitled:

An Act to further amend Section 222 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by extending the provisions of work-hours and vacations to include employes of state institutions.

Mr. CLAPPER from the Committee on Education, reported as amended, House Bill No. 1041, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by additional compensation for cooperating teachers supervising student teachers to be paid by the teacher education institution in which the student teacher is enrolled

Mr. GLICK from the Committee on State Government, reported as committed, House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1667), entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire all real and personal property included in the Conrad Weiser Memorial Park, in Heidelberg Township, Berks County, from the Conrad Weiser Memorial Park Association; providing for the control, management, supervision, restoration and improvement thereof by the Department of Forests and Waters; authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation therefor," by tranferring the control, management, supervision, restoration and improvement of said park, and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

Mr. THOMAS H. W. JONES from the Committee on State Government, reported as committed, House Bill No. 1086, entitled:

An Act to add section 1-A to the act, approved the fifteenth day of April, one thousand eight hundred seventy-three (P. L. 75) , as amended, entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

Mrs. MARKLEY from the Committee on Professional Licensure, reported as amended, House Bill No. 1137, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by requiring one year of approved hospital internship as an additional requirement for licensure; exempting interns from the provisions of the act; and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residency training in osteopathic hospitals in Pennsylvania.

Mr. KRATZ from the Committee on Elections and Apportionment, reported as amended, House Bill No. 1140, entitled:

An Act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Mr. STANK from the Committee on Highways, reported as committed, House Bill No. 1143, entitled:

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover; providing penalties, and making an appropriation," by requiring the General Assembly to approve the designation of limited access highways.

Mr. THOMAS H. W. JONES from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1150, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the provisions relating to the time for holding special elections for Representatives in Congress and Senators and Representatives in the General Assembly and for certifications by the Secretary of the Commonwealth to County Boards of Elections with respect to the nominees for certain offices to be filled at special elections and providing for the holding of special elections to fill vacancies in offices of political subdivisions, and for nominating candidates therefor.

Mr. WILBUR H. HAMILTON from the Committee on Education, reported as amended, House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of the county board of school directors in certain districts.

Mr. WILT from the Committee on Cities—Counties First-Second and Second Class A, reported as amended, House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of services for patrolmen.

Mr. GEER, from the Committee on Cities—Counties First—Second and Second Class A, reported as amended, House Bill No. 1203, entitled:

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes, authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by limiting the rate of tax permitted on transfers of title of real property.

Mr. ROBERT K. HAMILTON, from the Committee on State Government, reported as committed, House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres, more or less, of land, situate in the City of Erie, Erie County, Pennsylvania.

Mrs. VARALLO, from the Committee on Education, reported as committed, House Bill No. 1211, entitled:

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf.

Mr. GEORGE E. JONES from the Committee on State Government, reported as committed, House Bill No. 1216, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters.

Mr. THOMAS H. W. JONES from the Committee on State Government, reported as amended, House Bill No. 1227, entitled:

An Act making an appropriation from the Motor License Fund, to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection, construction or reconstruction and equipment of an office building thereon for the use of the Bureaus of Motor Vehicles and Highway Safety

Mr. WILLIAMS from the Committee on Mines and Mining, reported as committed, House Bill No. 1240, entitled:

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal, gas and oil and the underground storage of gas in underground strata by regulating the location, drilling, reconditioning, and abandoning of oil and gas wells through workable coal seams; providing for the protection of said coal and said wells; providing for the regulation of the underground storage of gas in the vicinity of or under coal mines, providing for the filing of information relating to the underground storage of gas and the operation of coal mines; providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines;

imposing duties upon gas storage operators, persons operating coal mines, other persons engaged in operations affecting the mining of coal or the underground storage of gas, and the Department of Mines and Courts of Common Pleas, and prescribing methods for the enforcement of such duties; granting certain corporations the right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; providing for hearings and appeals; and providing penalties.

Mr. WOOD from the Committee on Education, reported as amended, House Bill No 1264,. entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing provisions for plans of school building, admission of beginners, enumeration of children, cost of education of blind children, half-day school sessions, district teaching units, and payments by the Commonwealth for rentals, additional units and closed schools, and transportation; requiring issuance of high school certificates and approval of joint schools; providing penalties on school districts; and making corrections and supplying omissions.

Mr. SPENCER from the Committee on Municipal Corporations, reported as committed, House Bill No. 1265, entitled:

An Act to further amend the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 458), entitled, as amended, "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first, second, second A and third classes, boroughs, and townships of the first class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem, and to establish a permanent coordinated system of parking facilities, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with, and to accept grants from, the Federal Government, State political subdivisions of the State or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates," by defining the rights of lessees of parking facilities; extending the power to lease parking facilities and to exchange properties; authorizing temporary bonds; and further providing for acquiring property by eminent domain.

Mrs. COYLE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by including in such definition certain vehicles used for snow removal.

Mr. WOOD from the Committee on State Government, reported as amended, House Bill No. 1295, entitled:

An Act providing for joint action by the States of Delaware, New Jersey, and New York and the Commonwealth of Pennsylvania in developing, utilizing, controlling, and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply; authorizing the Governor, for these purposes, to enter into a compact with the States of New Jersey, Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent hereto; creating the Delaware River Basin Water Commission and specifying the powers and duties thereof, including the powers of eminent domain and the power to finance projects by the issuance of bonds; providing for the appointment of the Pennsylvania members of the said Commission; approving an integrated water project; requiring the Commission to prepare and report plans and specifications for specific projects; and requiring certain prior approvals by the Legislatures of the compacting States.

Mr. TOMPKINS, from the Committee on State Government, reported as committed, House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies, to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown, Lehigh County, Pennsylvania, and providing for the disposition of the proceeds of the purchase moneys.

Mr. GLICK, from the Committee on State Government, reported as committed, House Bill No. 1300, entitled:

An Act to add section five to the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth, showing the location of the same and the geologic formations encountered therein, and to make copies of such records available upon payment of prescribed fees; and providing fees and penalties," by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund, and directing that appropriations to carry out the provisions of the act are made from the General Fund, upon proper budgetary request.

Mr. GLICK, from the Committee on State Government, reported as committed, House Bill No. 1302, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day.

Mr. WILBUR S. HAMILTON from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1319, entitled:

An Act to further amend Section 106 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests, creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying,

revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing that notices may be published in one newspaper in certain cases.

Mr. COMER from the Committee on Municipal Corporations, reported as committed, House Bill No. 1323, entitled:

An Act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the fourth class and cities, boroughs, townships and school districts situate in such counties.

Mr. BREISCH from the Committee on Education, reported as committed, House Bill No. 1348, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by requiring the approval of the electorate before school districts may enter into contracts with the State Public School Building Authority or any municipality authority or any non-profit corporation for the leasing of projects; and further regulating Commonwealth payments to school districts on account of such obligations.

Mr. BREISCH from the Committee on Education, reported as committed, House Bill No. 1349, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by regulating reimbursements on account of instruction of kindergarten pupils.

Mr. RICHTER from the Committee on Cities—Counties—First—Second and Second Class A, reported as committed, House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases.

Mr. RICHTER from the Committee on Cities—Counties—First—Second and Second Class A, reported as committed, House Bill No. 1352, entitled:

An Act to further amend the act, approved the twentieth day of June, one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collecton; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties," by limiting review of tax returns and imposition of additional taxes in certain cases.

Mr. PRICE from the Committee on State Government, reported as committed, House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Mrs. MARKLEY from the Committee on Motor Vehicles, reported as committed, House Bill No. 1354, entitled:

An Act to reenact and further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous recepts; making an appropriation and providing for refunds," by exempting certain vehicles owned by and used exclusively by certain defense organizations from the payment of registration fees.

Mr. THOMAS H. W. JONES from the Committee on State Government, reported as committed, House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres, more or less, of land situate in Collier Township, Allegheny County, Pennsylvania, with the approval of the Governor.

Mr. GLICK from the Committee on State Government, reported as committed, House Bill No. 1359, entitled:

An Act to add clause (i) to section one thousand eight hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the duties and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction.

BILLS RE-REFERRED

Mr. KELLER from the Committee on State Govern-

ment, returned the following bills to the House by the direction of the Committee on State Government with the request that they be re-referred by the Speaker to the Committee on Appropriations:

HOUSE BILL No. 12, entitled:

An Act to further amend section 222 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and re-organizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further providing for annual sick leave and vacation leave for State employes and making sick leave cumulative under certain circumstances.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 15, entitled:

An Act to add Sections 14.1 and 14.2 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annunities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 297, entitled:

An Act to add Section 13.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties" by providing an additional State annuity for certain beneficiaries and appropriations therefor.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 671, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by increasing the retirement allowance of certain retired members.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 802, entitled:

An Act to further amend subsection three of Section 11 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for a minimum retirement allowance after twenty-five years service and voluntary retirement.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 113, entitled:

An Act to add section 14.1 to the act, approved the twenty-seventh day of une, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing the election of options by certain contributors at any time prior to retirement or death.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 165, entitled:

An Act to amend Section 19 of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled, as amended, "An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by granting right to contributors to change beneficiary at any time after retirement.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 250, entitled:

An Act to further amend the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled, as amended "An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by providing further benefits to contributors' widows and members on disability allowance; increasing involuntary retirement allowances and removing limitation on nomination of a beneficiary.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1213, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "final salary" and changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement, and making such changes retroactive in certain cases.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1308, entitled:

An Act to further amend Subsection Three of Section 11 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by reducing the required length of service to qualify for a minimum retirement allowance for certain employes.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1278, entitled:

An Act to add section 2.1 to the act, approved the fifth day of January, one thousand nine hundred fifty-two (P. L. 1833) entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; creating the State Agency and conferring powers and imposing duties upon the State Agency; authorizing the State Agency to enter into agreements with the Federal Security Administrator and with political subdivisions under certain terms and conditions; providing for the Commonwealth's contribution under agreements with the Federal Security Administrator and for the collection and payment of employer and employe contributions; authorizing interstate cooperation in certain cases; creating a Contribution Fund; and making appropriations," by authorizing termination of retirement systems, pension or retirement plans, or similar funds, systems or plans in order to qualify the membership for benefits provided for by said act.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1090, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining certain terms, extending hospital employe coverage and continuing the right of the low-rate members to transfer to the high-rate plan by reducing the required length of service to earn a minimum retirement by providing occupational death benefits, by liberalizing occupational disability benefits and by increasing prior service obligations.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1361, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining the term "State employe."

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1362, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled, "An act establishing a public school employes's retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for officers and employes of the Pennsylvania State College to withdraw from the retirement system and receive reimbursement for moneys paid in.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1066, entitled:

An Act to further amend paragraph 3 of section 12 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing the payment of survivor benefits to qualified dependents in lieu of payment of accumulated deductions in the event of the death of a contributor before retirement.

Re-referred to the Committee on Appropriations.

Mr. HELM from the Committee on Education, returned the following bill to the House by the direction of the Committee on Education with the request that it be re-referred by the Speaker to the Committee on Appropriations:

HOUSE BILL No. 924, entitled:

An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing emproyes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by authorizing the election of options by certain contributors at any time, prior to retirement or death, and providing a presumption of an election in certain cases.

Re-referred to the Committee on Appropriations.

MR. HELM IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe everyone is thoroughly convinced by this time of the Session that certainly this state is in a very serious financial situation, and just as bad is how or when, if ever, we are going to be able to raise the taxes to solve the situation, other than some broad base tax, and to balance the budget, which according to the budget figures, stands at $157 million, but which according to actual budget figures, stands at $217 million.

That being the case, in my humble opinion I think it is time that we begin to get our feet on the ground and before putting the state or allowing the state to spend any further moneys on development projects, buildings and hospitals of such a nature, that we stop the spending for a period of time at least until we find out where we are going and how we are going to get there.

The bill I am introducing, Mr. Speaker, postpones for five years any further spending by the General State Authority and any more floating of bonds by the General State Authority for the same period.

I do not know to what Committee this bill may be referred. Personally, I am going to be very much interested as to whether or not this bill will be reported out of Committee before the end of the Session so as to give the Members of this House, who represent the people of this Commonwealth, a chance to say whether or not they want the state to keep on going further into debt when we cannot balance the budget, or whether we want to put our feet firmly on the ground to see where we are going and how we are going to get there.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to state for the information of the Members that we intend to have a Session tomorrow. We would like to have everybody here tomorrow so that we can proceed with the orderly business of the day. Our plan is to then recess until the 8th of June, by reason of the fact that there are no hotel accommodations available during that period.

I might further say when we come back on the 8th of June, because of the difficulty experienced on both sides of the House to determine whether we have 105 on our side or whether the Minority has 98 on their side for purposes of going ahead with the business, we will have a roll call each day at the beginning of the Session so that we will know who is here and who is not here. If I should call for a call of the House one morning, I would think it would be in order for the Minority Leader to call for a call of the House the next morning. We feel that such a procedure will make for the orderly dispatch of business and an orderly termination of the Session. We would like to have the Members bear with us on this particular matter.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we will gladly cooperate in any movement to make certain that it is not just a few of us who bear the heat and burden of the day, but that all of those who are not physically incapacitated recognize the fact that they asked to be Members of this House; they were given the privilege of being Members of this House, and it is not only their business but their duty to be present when this House is in Session.

We will, therefore, very gladly cooperate with the Majority Leader. He can issue the call of the House on Monday, and I will issue the call of the House on Tuesday, and so on until this legislative interlude is ended.

SPECIAL ORDER ON SENATE BILL 852

Mr. JOHNSON. Mr. Speaker, I move that Senate Bill 582, Printer's No. 236, on page 23 of today's calendar, bills on third reading, which is the temporary emergency appropriation to the Department of Public Assistance, be made a special order of business immediately.

SPECIAL ORDER

The SPEAKER. The Chair lays before the House the special order of business fixed for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 582, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen million dollars ($15,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-three and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-three

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of two hundred thousand dollars ($200,000) and to the Department of the Auditor General the sum of seventy-five thousand dollars ($75,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, for purposes of the record I would like to interrogate the Majority Leader.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, desires to interrogate the gentleman from McKean, Mr. Johnson. Will the gentleman permit himeslf to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, this bill I believe appropriates $15 million. Is that a fact?

Mr. JOHNSON. Mr. Speaker, that is my understanding.

Mr. ANDREWS. Mr. Speaker, and the appropriation is divided into two parts: payments for future contingencies and payments for expenses accrued in the past for which no money is available—is that correct?

Mr. JOHNSON. Mr. Speaker, I believe that is correct.

Mr. ANDREWS. Mr. Speaker, would the Majority Leader inform the House as to the sums carried in this $15 million that are needed for deficit purposes and the amount that will be used to meet future needs?

Mr. JOHNSON. Mr. Speaker, the information that has been given to me in regard to the bill is that we have in Committee rght now House Bill, I think it is 445, which covers various deficiencies. I do not recall whether there is anything in that bill for the Department of Public Assistance. I understand that any deficiency that might exist can be paid out of this appropriation. I believe there will be an additional $2 million lapsed, I have been so informed by the Chairman of the Appropriations Committee, for this biennium.

Mr. ANDREWS. Mr. Speaker, would the Majority Leader, since we meet tomorrow as I understand, defer action on this bill until such time as he can file for the purpose of the record an itemization of the amount desired for deficiency purposes, and the amount that will be available for furture purposes?

Mr. JOHNSON. Mr. Speaker, I would respectfully request this bill be passed over temporarily, and I will endeavor to get the information before the day is over so that we can at least pass this bill.

Mr. ANDREWS. Mr. Speaker, we would request the Department to itemize its requests for deficiency appropriations. We do not want a lump sum. We want an itemization—we want the deficiencies itemized in order that it may be entered on the record.

Mr. JOHNSON. Mr. Speaker, we will have this information before the day is over.

The SPEAKER. Without objection, the House will defer further consideration of this bill until the information requested has been obtained. The Chair hears none.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 151, entitled:

An Act providing for the establishment of police pension funds or pension annuities in boroughs towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 866, entitled:

An Act to further amend section 6 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing that the assessed valuation of property shall be based upon an established predetermined ratio of its actual value.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 946, entitled:

An Act to amend clause (e) of and to add clause (e.1) to Section 401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by providing for the care of seniles on leave of absence from State mental hospitals and elimating certain obsolete provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to amend paragraph (a) of section eleven of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with developers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by requiring certain redevelopers to reimburse public utilities for the costs of removing altering constructing reconstructing locating relocating or otherwise changing their facilities in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1257, entitled:

An Act providing for compliance with Federal Laws and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies as sureties on bonds of tax collectors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1336, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further defining the manner of making assessments and regulating appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act to amend subsections B and C of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring members to serve without compensation and the treasurer to post a bond.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 439, entitled:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for

expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes and for the control of the stem rust disease of wheat oats barley and rye upon request of county commissioners and authorizing the Department of Agriculture to establish regulations therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 894, entitled:

An Act to amend Section 316 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing a corporation by action of its board of directors to grant pensions allowances and stock options to its officers and other employees under certain circumstances and validating pensions allowances and stock options heretofore granted.

The first section was read.
On the question,
Will the House agree to the section?
Mr. THOMAS H. W. JONES offered the following amendment:

Amend Sec. 1 (Sec. 316), page 4, line 2, by inserting after the word "dependents" the following: "Provided, That such allowances shall be reasonable in amount and paid only for a limited time."

It was agreed to.
The section was agreed to as amended.
The second section and title were separately read and agreed to
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1254, entitled:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

The first section was read.
On the question,
Will the House agree to the section?
Mr. LEISEY offered the following amendment:

Amend Sec. 1 (Sec. 2), page 4, line 2, by inserting after "persons" "or at any time when manure is transported in lots of one ton or less, or at any time when manure is delivered in carload lots to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier."

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 207, entitled:

An Act authorizing suits against the Commonwealth in actions involving title to land or interests real

The first section was read and agreed to.
Mr. TOMPKINS offered the following amendment to the bill by adding Section 2

Amend Bill, page 1, by inserting after line 4 "Section 2. Service of process in any action authorized under section one of this act may be made upon the Secretary of the Commonwealth or the head of any department charged with the administration of the land or real interest which is involved in litigation."

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amendment Sec. 2, page 2, line 1, by striking out "2" and inserting in lieu thereof "3".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend Title, page 1, second line of Title, by inserting after "real" and providing for service of process.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 91, entitled:

An Act to amend subsecton (b) of Section 1 and Sections 2 and 4 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by further defining employer providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 1 and Sections 2 and 4 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" are hereby amended to read as follows

Section 1 Definitions

* * * * *

(b) "Employer" includes any person natural or artificial acting directly or indirectly in the interest of any employer in relations with an employee and shall include the Commonwealth of Pennsylvania and all political subdivisions thereof

Section 2 Wage Rates No employer shall discriminate in any way in the payment of wages or salaries in any occupation as between the sexes or pay any female in his employ in any occupation salary or wage rates less than the rates paid to male employees for comparable work [Provided however That nothing herein contained shall prohibit a variation in salary or wage rates based upon either difference in seniority experience training skill or ability or difference in duties and services performed or difference in the shift or time of the day worked or any other reasonable differentiation except difference in sex]

Section 4 Collection of Unpaid Wages (a) An employer who violates the provisions of section two of this act shall be liable to the employee or employees affected in the amount of their unpaid wages plus an equal amount of liquidated damages Action to recover such wages may be maintained in any court of competent jurisdiction by any one or more employees Any agreement between the employer and an employee to work for less than the wage to which such employee is entitled under this act shall be no defense to such action The court in such action shall in addition to any wages and damages allow a reasonable attorney's fee and costs of the action to the plaintiff At the request of any employee paid less than the wage to which she is entitled under this act the Secretary of Labor and Industry may take an assignment of such wage claim for collection and shall bring any legal action necessary to collect such claim The Secretary shall not be required to pay the filing fee or other costs in connection with such action

(b) Any action pursuant to the provisions of this act must be brought within three years from the date upon which the violation complained of occurs

[(c) Any employee may directly or through his attorney agent or collective bargaining representative waive compromise adjust settle or release any claim which such employee may have under this act either before or after comencement of suit thereon and a waiver compromise adjustment settlement or release of any such claim by such employee or his attorney agent or collective bargaining representative shall be a complete satisfaction of such claim and a complete bar to any action based on such claim]

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, inasmuch as attempted amendments to the bill were defeated yesteday, I would like to make a brief comment on this bill.

This bill simply contains three provisions, all of which in my estimation, would improve the nature of the original act. I do not say that the original act is as good as it would stand with these amendments, but it will at least be improved, and for that reason I would urge all Members to support it. I will give them information that to the best of my knowledge the labor organizations, namely, the CIO and AFL have no objections to the bill.

Mr. ANDREWS. Mr. Speaker, I agree with the gentleman from York. The amendments to this bill improve the original Act and I, therefore, for what the recommendation is worth, recommend its adoption.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adam,	Glick,	Markley,	Schmidt,
Alexander,	Goodling,	Mathews,	Schuster,
Amarando,	Gramlich,	Maxwell,	Schwartz,
Andrews,	Greenwood,	McCann,	Scott,
Ashton,	Guss,	McCormack,	Seyler,
Auker,	Gutendorf,	McCullough,	Shoemaker,
Banker,	Guthrie,	McDermit,	Shotwell,
Barkdoll,	Hall,	McGee,	Smith, W. B.,
Baumunk,	Hamilton, R. K.,	McInroy,	Snider,
Bazin,	Hamilton, W. H.,	McWherter,	Spencer,
Bear,	Harris,	Metz,	Stank,
Blair,	Haudenshield,	Mihm,	Stevenson,
Boies,	Helm,	Mikula,	Stimmel,
Bolton,	Hersch,	Miller,	Stone,
Boory,	Hewitt,	Mills,	Stoner,
Bower,	Hocker,	Monroe,	Strausser,
Breisch,	Hoggard,	Moody,	Sucher,
Breth,	Ide,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Buchanan,	Jim,	Moscrip,	Toll,
Bullen,	Johnson,	Muldowney,	Tompkins,
Capano,	Jones, Geo. E.,	Munley,	Toomey,
Cianfrani,	Jones, Gran'le E.,	Murray, J. J.,	VanSant,
Cioffi,	Jones, Paul F.,	Musto,	Varallo,
Clapper,	Jones, T. H. W.,	Naugle,	Varner,
Cochran,	Jump,	Needham,	Vaughan,
Comer,	Kamyk,	Ogilvie,	Verona,
Connelly,	Keller,	Olsen,	Wall,
Conner,	Kent,	Parlante,	Wallace,
Coyle,	Kerlin,	Peifly,	Walsh,
Curwood,	Kline,	Peta,	Wargo,

Davis,	Kohl,	Petrosky,	Waterhouse,
Dougherty,	Kolankiewicz,	Pettigrew,	Weidner,
Down,	Kornick,	Pfaff,	Welsh,
Downey,	Kratz,	Phillips,	Wescott,
Dunn,	Kromer,	Polaski,	Whalley,
Erb,	Kubacki,	Polen,	Wheeler,
Ewing,	Lafore,	Poltenstein,	White,
Farabaugh,	Lederer,	Price,	Whitenight,
Fenrich,	Leisey,	Quisenberry,	Williams,
Ferster,	Leonard,	Ragot,	Willaredt,
Filo,	Leven,	Readinger,	Wilt,
Flack,	Light,	Reagan,	Wood,
Fleischman,	Limper,	Reidenbach,	Worley,
Floyd,	Lippincott,	Richter,	Yeakel,
Flynn,	Lopresti,	Rosen,	Yetzer,
Frost,	Lovett,	Rovansek,	Young,
Geer,	Lutty,	Royer,	Zeitz.
Gibson,	Maguire,	Rubin,	Ziegler,
Gleason,	Mahan,	Sarraf,	Smith, C. C., Speaker

NAYS—2

Bucchin,	DuBois,

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILLS

Mr. WATERHOUSE asked and obtained unanimous consent to extend the time five days on House Bill No. 573, Printer's No. 226, on page 12 of today's calendar, bills on final pasage postponed.

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 608, Printer's No. 83, on page 12 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GUTHRIE.

The House resumed the consideration on final pasage of House Bill No. 626, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where informations charging violations of summary provisions of said act may be brought

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of subsection (c) of section 607 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Comonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1996) is hereby further amended to read as follows

Section 607 Size of Vehicles and Load

* * * * *

(c) No tractor except fire department equipment shall exceed a total maximum length including load thereon of [three hundred and ninety-six (396)] four hundred and twenty (420) inches and no combination of two (2) vehicles inclusive of load couple together shall exceed a total maximum length of fifty (50) feet excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet

Section 2 Section 701 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L 815) is hereby further amended to read as follows

Section 701 Limitation of Actions

(a) Information charging violations of any of the summary provisions of this act shall be brought before a magistrate within the city borough incorporated town or township in the county where the alleged violation occurred within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of an offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall be discovered Where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city incorporated town or township in the county within the same period of time as above provided in this subsection

(b) Where the offense committed is designated a misdemeanor information may be filed as now provided by law

On the question recurring,

Shall the bill pass finally?

Mr. GUTHRIE. Mr. Speaker, for the information of the House I wish to state that I have no personal interest in this bill. It is a departmental bill to make the tractor code conform with the motor vehicle code.

The phraseology is word for word that which is already contained in the Motor Vehicle Code of 1949, as amended in 1951. The bill in no way will have any effect on motor vehicles, trucks, and so forth that travel on the highways.

It applies strictly to tractors which principally operate off the highways. I ask your support for the bill.

Mr FILO. Mr. Speaker, may I interrogate the gentleman from Armstrong?

The SPEAKER. Will the gentleman from Armstrong, Mr. Guthrie, permit himself to be interrogated?

Mr. GUTHRIE. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, am I not correct in saying that this House Bill 626, Printer's No. 130, has been on the calendar, was defeated and reinstated on the calendar? Is that true?

Mr. GUTHRIE. Mr. Speaker, that is correct.

Mr. FILO. Mr. Speaker, the objections at the time as I understand it, we were lengthening the tractor-trailers some number of feet, I believe it was two feet mentioned at that time. Is that correct?

Mr. GUTHRIE. Mr. Speaker, that is not correct for a tractor that operates on the highway. It would be correct for a farm tractor.

Mr. FILO. Mr. Speaker, this only pertains to a farm tractor not to a tractor on the highway. Is that correct?

Mr. GUTHRIE. Mr. Speaker, yes, I can refer you to the page and Section and so forth, page 143, Section 3 of the Motor Vehicle Code which I have here.

Mr. FILO. Mr. Speaker, I will take the gentleman's word for this. I am in error here and I think I will now go along with the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Gibson,	Maguire,	Sarraf,
Alexander,	Gleason,	Mahan,	Schmidt,
Amarando,	Glick,	Markley,	Schuster,
Andrews,	Goodling,	Mathews,	Schwartz,
Ashton,	Gramlich,	Maxwell,	Scott,
Auker,	Greenwood,	McCann,	Seyler,
Banker,	Guss,	McCormack,	Shoemaker,
Barkdoll,	Gutendorf,	McCullough,	Shotwell,
Baumunk,	Guthrie,	McDermit,	Smith, W. B.,
Bazin,	Hall,	McGee,	Snider,
Bear,	Hamilton, R. K.,	McInroy,	Spencer,
Blair,	Hamilton, W. H.,	McWherter,	Stank,
Boies,	Harris,	Metz,	Stevenson,
Bolton,	Haudenshield,	Mihm,	Stimmel,
Boory,	Helm,	Mikula,	Stone,
Bower,	Hersch,	Miller,	Stoner,
Breisch,	Hewitt,	Mills,	Strausser,
Breth,	Hocker,	Monroe,	Sucher,
Brown,	Hoggard,	Moody,	Taylor,
Bucchin,	Ide,	Moore,	Thomas,
Buchanan,	Jenkins,	Moran,	Toll,
Bullen,	Jim,	Moscrip,	Tompkins,
Capano,	Johnson,	Muldowney,	Toomey,
Cianfrani,	Jones, Geo. E.,	Munley,	VanSant,
Cioffi,	Jones, Gran'le E.,	Murray, J. J.,	Varallo,
Clapper,	Jones, Paul F.,	Musto,	Varner,
Cochran,	Jones, T. H. W.,	Naugle,	Vaughan,
Comer,	Jump,	Needham,	Verona,
Connelly,	Kamyk,	Ogilvie,	Wall,
Conner,	Keller,	Olsen,	Wallace,
Coyle,	Kent,	Parlante,	Walsh,
Curwood,	Kerlin,	Peifly,	Wargo,
Davis,	Kline,	Peta,	Waterhouse,
Dougherty,	Kohl,	Petrosky,	Weidner,
Down,	Kolankiewicz,	Pettigrew,	Wescott,
Downey,	Kornick,	Pfaff,	Whalley,
DuBois,	Kratz,	Phillips,	Wheeler,
Dunn,	Kromer,	Polaski,	White,
Erb,	Kubacki,	Polen,	Whitenight,
Ewing,	Lafore,	Poltenstein,	Willaredt,
Farabaugh,	Lederer,	Price,	Williams,
Fenrich,	Leisey,	Quisenberry,	Wilt,
Ferster,	Leonard,	Ragot,	Wood,
Filo,	Leven,	Readinger,	Worley,
Flack,	Light,	Reagan,	Yeakel,
Fleischman,	Limper,	Reidenbach,	Yetzer,
Floyd,	Lippincott,	Richter,	Young,
Flynn,	Lopresti,	Rosen,	Zeitz,
Frost,	Lovett,	Rovansek,	Ziegler,
Geer,	Lutty,	Royer,	Smith, C. C., Speaker
		Rubin,	

NAYS—1

Welsh,

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 562, Printer's No. 231, and

House Bill No. 574, Printer's No. 221,

were pased over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 623, as follows:

An Act to amend the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for the registration or licensing of certain persons not originally licensed in Pennsylvania to practice beauty culture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of May one thousand nine hundrd thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended by adding immediately following Section 12 thereof a new section to read as follows

Section 12.1 Licensees Reciprocity The board shall upon application and without examination issue a certificate of registration or license as an operator to any person over the age of seventeen years who has been licensed to engage in the practice of beauty culture in the District of Columbia or any other state territory protectorate or dependency of the United States upon compliance with the standards and requirements not lower in the judgment of the board than those of this State but only if such state territory protectorate or dependency of the United States or the District of Columbia extends similar reciprocity to licensees of this State Such application shall be accompanied by a photograph a certified copy of such out-of-state license and the required annual license fee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—72

Ashton,	Greenwood,	Lippincott,	Royer,
Auker,	Gutendorf,	Lovett,	Rubin,
Barkdoll,	Guthrie,	Markley,	Scott,
Baumunk,	Hall,	Mathews,	Shotwell,
Bazin,	Hamilton, W. H.,	Maxwell,	Stimmel,
Blair,	Haudenshield,	McCullough,	Stoner,
Bower,	Helm,	McInroy,	Tompkins,
Brown,	Hocker,	Moscrip,	VanSant,
Buchanan,	Johnson,	Ogilvie,	Varner,
Bullen,	Jones, T. H. W.,	Petrosky,	Waterhouse,
Clapper,	Jump,	Phillips,	Weidner,
Connelly,	Keller,	Polen,	Wescott,
Down,	Kent,	Price,	Wheeler,
Erb,	Kline,	Quisenberry,	Worley,
Ewing,	Kohl,	Ragot,	Yeakel,
Ferster,	Kratz,	Readinger,	Young,
Flack,	Leisey,	Reagan,	Smith, C. C.,
Geer,	Light,	Richter,	Speaker
Gibson,			

NAYS—80

Alexander,	Floyd,	Limper,	Schmidt,
Andrews,	Flynn,	Lopresti,	Seyler,
Banker,	Frost,	Mahan,	Shoemaker,
Bear,	Gleason,	McCann,	Smith, W. B.,
Bolton,	Goodling,	McCormack,	Snider,
Boory,	Gramlich,	McDermit,	Stank,
Breisch,	Guss,	McGee,	Stone,
Breth,	Hamilton, R. K.,	McWherter,	Strausser,
Bucchin,	Harris,	Metz,	Sucher,
Capano,	Hersch,	Mikula,	Taylor,
Cioffi,	Hewitt,	Mills,	Toll,
Conner,	Hoggard,	Monroe,	Toomey,
Curwood,	Ide,	Moore,	Vaughan,
Davis,	Jim,	Moran,	Wall,
Downey,	Jones, Geo. E.,	Musto,	Wallace,
DuBois,	Kamyk,	Naugle,	Walsh,
Dunn,	Kerlin,	Peifly,	Welsh,
Farabaugh,	Kromer,	Pfaff,	White,
Filo,	Kubacki,	Polaski,	Whitenight,
Fleischman,	Leven,	Rovansek,	Ziegler,

NOT VOTING—55

Adam,	Jones, Paul F.,	Murray, P. G.,	Thomas,
Amarando,	Kolankiewicz,	Needham,	Thompson,
Boies,	Kornick,	Olsen,	Varallo,
Bomberger,	Lafore,	Parlante,	Verona,
Cianfrani,	Lederer,	Peta,	Wargo,
Cochran,	Leonard,	Pettigrew,	Watkins,
Comer,	Lutty,	Poltenstein,	Whalley,
Cooper,	Maguire,	Reidenbach,	Willaredt,
Coyle,	Mihm,	Rosen,	Williams,
Dougherty,	Miller,	Sarraf,	Wilt,
Fenrich,	Moody,	Schuster,	Wood,
Glick,	Muldowney,	Schwartz,	Yetzer,
Jenkins,	Munley,	Spencer,	Zeitz,
Jones, Gran'le E.	Murray, J. J.,	Stevenson,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection

House Bill No. 643, Printer's No. 235,

House Bill No. 649, Printer's No. 236, and

House Bill No. 651, Printer's No. 204,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 664, as follows:

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof" by permitting the use of certain concrete pipe as sewer pipe under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the busines or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" as amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 168) is hereby amended to read as follows

Section 13 Where the ground is of sufficient solidity for a proper foundation cylindrical terra-cotta pipe of the best quality free from flaws splits or cracks perfectly burned and well glazed over the entire inner and outer surfaces or concrete pipe meeting the present specifications of the American Society for Testing Materials for concrete sewer pipe may be used if laid on a smooth bottom with a special groove cut in the bottom of the trench for each hub in order to give the pipe a solid bearing on its entire length and the soil well rammed on each side of the pipe The spigot and hub ends shall be connected The space between the hub and the pipe must be thoroughly filled with cement mortar made of equal parts of the best American natural cement and bar sand thoroughly mixed dry and enough water afterwards added to give the proper consistency The mortar must be mixed in small quantities and used as soon as made The joints must be carefully wiped out and pointed and all mortar that may be left inside removed and the pipe left clean and smooth throughout for which purpose a swab may be used It must not be laid closer than five feet to any exterior wall of a building or less than three and one-half feet below the surface of the ground or when the sewer passes near a well nor will it be allowed in bad or made ground or inside a building with or without a cellar

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRETH. Mr. Speaker, I would like to interrogate the sponsor of this bill, Mr. Kratz.

The SPEAKER. Will the gentleman from Montgomery, Mr. Kratz, permit himself to be interrogated?

Mr. KRATZ. I shall, Mr. Speaker.

Mr. BRETH. Mr Speaker, I would like to know if the gentleman wanted to go into the cement plant business, would there be anything to stop him?

Mr. KRATZ. Mr. Speaker, would you repeat that question, please.

Mr. BRETH. Mr. Speaker, if the gentleman wanted to go into the cement making business and build a plant to make cement, would there be anything to stop him?

Mr. KRATZ. Mr. Speaker, I think not.

Mr. BRETH. Mr. Speaker, if you wanted to sell cement

products or cement for cement products, could you do so, if you built a plant?

Mr. KRATZ. Mr. Speaker, I would have the right to sell them if I wanted to, but I do not understand the question about building the plant, the second time.

Mr. BRETH. Mr. Speaker, what I am leading up to is asking another question. In other words, you would not call the cement making industry a monopoly?

Mr. KRATZ. Mr. Speaker, no, certainly not.

Mr. BRETH. Mr. Speaker, if you wanted to build a terra cotta pipe plant would there be anything to stop you?

Mr KRATZ. Mr. Speaker, well, that I do not know. From the opposition I have found here to this bill there may be some portion that could stop me, I do not know. I suppose probably that machinery is all patented and I might not have an opportunity to buy it to go into that business

Mr. BRETH. Mr. Speaker, I think the gentleman is being facetious.

Mr. KRATZ. Mr. Speaker, I think not.

Mr. BRETH. Mr. Speaker, if the gentleman wanted to go into the sewer pipe making business all he has to do would be to secure the necessary machinery and the money and build a plant Just as if he wanted to go into the cement making business, he would have to secure the machinery and build a plant.

Mr. KRATZ. Mr. Speaker, could the gentleman tell me whether or not there are any patents on the clay pipe machinery, puddling mills and that sort of thing. I think there are.

Mr. BRETH. Mr. Speaker, I think there are too, but I think it is possible to secure rentals and things like that in order to have the machinery. In other words, what I mean is, it is possible to build either a cement plant or a terra cotta pipe plant and go into business.

Mr. KRATZ. Mr. Speaker, I know it is possible to build a cement plant but I do not know that it is possible to build a terra cotta plant.

Mr. BRETH. Mr. Speaker, I think the gentleman is talking beside the point—he wants to evade the point.

Mr. KRATZ. Mr. Speaker, I think not

Mr. BRETH. Very well, Mr Speaker, since the gentleman will not answer the question directly, I would like to interrogate him further.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. KRATZ. I shall, Mr. Speaker.

Mr. BRETH. Mr. Speaker, if this bill 664 is passed, could you go into the business of making concrete pipe?

Mr KRATZ. Mr. Speaker, I could, yes, but I am not going to.

Mr. BRETH. Mr. Speaker, what kind of machinery would you need to make concrete pipe?

Mr. KRATZ. Mr. Speaker, I would need certain types of molds and centrifugal machinery that can spin the pipe and make it dense and impervious, which is something you cannot do with a clay pipe

Mr. BRETH. Mr. Speaker, the gentleman is still trying to settle a point which has not been raised. In other words, you could start making concrete pipe, authorized under the provisions of this bill, just by securing some machinery and a form and going into it. Right?

Mr. KRATZ. Mr. Speaker, no, that is not all the story.

Mr. BRETH. Mr. Speaker, suppose you were in the business. I will put it that way—suppose you were in the business and were making concrete pipe in a small way—you can go into the business in a small way, or can't you?

Mr. KRATZ. Mr. Speaker, I do not think you can go into it in too small a way because the equipment is rather expensive and you would have to have a sizeable plant to do it.

Mr. BRETH. Mr. Speaker, who would inspect the pipe if it was produced in any plant making concrete pipe?

Mr. KRATZ. Mr. Speaker, I suppose the same people who inspect the pipe now—those people who buy the pipe, buy it through specification—they have their own inspectors in the plant to inspect their own orders to see that it is made to specifications And besides, an industry like the cement industry has their own inspectors to see that the quality of their product is kept up

Mr. BRETH. Mr. Speaker, if I were a small dealer and wanted to buy a small amount of concrete pipe for house sewer connections, I could buy it?

Mr. KRATZ. Mr. Speaker, certainly you could.

Mr. BRETH. Mr. Speaker, would I need to be an inspector to buy it?

Mr KRATZ Mr. Speaker, no, because it would be inspected by the proper people in the industry before it was put out to the distributors of the pipe. Just remember this, the distributor is the man who is responsible for the product he sells, and if the manufacturer does not give him a product that is adequate and first class in every respect he will not accept it That is based on this fact, large distributors distribute not only one commodity, they distribute many commodities

Mr. BRETH. Mr. Speaker, I did not ask about the distribution . . . .

Mr. KRATZ. I would like to have the floor. Mr. Speaker, to complete my remarks.

The SPEAKER. Does the gentleman from Clearfield wish to interrogate the gentleman further?

Mr. BRETH. I do, Mr. Speaker.

The SPEAKER Will the gentleman permit himself to be interrogated?

Mr. KRATZ. Mr. Speaker, not until my remarks are completed.

The SPEAKER. The gentleman will not be interrogated at this time Will the gentleman from Clearfield yield to the gentleman from Montgomery?

Mr. BRETH. Mr. Speaker, I will yield temporarily.

The SPEAKER. The gentleman from Montgomery will proceed.

Mr. KRATZ. Mr. Speaker, I wanted to say this, that these large distributors distribute not only cement pipe, they distribute asphaltum pipe, they distribute clay pipe, they distribute many other commodities that are used by the builders, constructors, plumbers, and so forth in the building trades. If they get the name of distributing one item out of their entire list that is not satisfactory, they will not get the business from the people who use that material I speak as one of authority—I do not sell that particular line of pipe or any kind of pipe, but I do sell building materials, and I know we have to watch all manufacturers with care and caution to see that we give our customers proper material

Mr. BRETH. Mr. Speaker, I thank the gentleman.

It is obvious that the state does not require any inspector to be in every concrete mixing plant, large or small, to inspect the products. If I as a small builder or any other small builder wanted to buy sufficient pipe for one house, eight houses or ten houses, all I would have to do would be to find a person or a small plant making it and buy it.

There is no guarantee in this bill. There is no guarantee in the law today that any concrete pipe would be made according to the ASTM specifications in this business. In other words, if it came down to a cat and dog fight regarding price and the delivery of goods, it would be possible for an inferior product to be bought, and once it was placed three feet under ground there would be no opportunity to inspect it. In other words, no opportunity to protect the buyer and the small property owner.

Now in terra cotta pipe there is no doubt at all about the quality of the pipe. The pipe must be burned. It must be glazed, and when it comes out there is no question about it, it is a glazed terra cotta pipe, and that is all there is to it. There is same inspection for big builders and governmental operations, highways, buildings, and so forth, there is unlimited inspection.

The point, Mr. Speaker, that was raised the other day in debate on an amendment is to try to bring up the quality of concrete pipe to the equal of terra cotta pipe. That was discussed and the gentleman admitted and his testimony was practically in these words: "There is no question about concrete pipe not being the equal of terra cotta pipe."

I believe we should think quite seriously before voting on this bill. Who wants to penalize the small property owner? Most of these house connections are going to be put into buildings that are going to be bought by the average rank and file, the man with a small family—and if, in a few years, the house sewer connections deteriorate, it is going to mean an expensive repair bill to him. I say the evidence is not fair, definitely not fair—I mean evidence not hearsay. The evidence that concrete pipe will stand up under house sewer acids and gas is definitely not there.

The federal government in any pipe building operation where there is a trace of sewer acid or gas not only specifies one hundred per cent terra cotta pipe—now these are federal regulations—and the federal regulations also stipulate that the joints must be packed with oakum and ensealed with a bituminous material. You cannot even use cement to seal the connections for terra cotta pipe where the federal regulations are involved.

This is a bad bill, a very bad bill, and I ask that you vote it down.

Mr. KRATZ. Mr. Speaker, to start off with, I have made the statement which tends to prove that concrete pipe is much more dense than terra cotta pipe Terra cotta pipe depends on probably one thirty-second of an inch or less of glaze to give it the qualities which are claimed for it. I think that will dispose of that because that is a statement of fact.

As to whether cement pipe will stand up, we are not only talking about small houses, we are talking about large installations as well. If you want to talk about a small house in the modern sewage system, the so-called laterals that connect the sewers with the houses they may have a maximum length of 40 or 50 feet, something like that. The sewage goes through these pipes, and then in a modern system goes into large cement pipes. It is conducted by these large cement pipes, goes on down to the trunk line sewers and is taken to the large sewage disposal plants, all of which are constructed of concrete and reinforced concrete. They have been standing up for over 50 years here in Pennsylvania, and I cannot see why the first few feet of pipe that take the sewage away should be of such great importance from a sanitary standpoint.

These pipes that are used are no stronger than their connections. Take the clay pipes, it is a practice all around to join them together with cement. Tree roots grow in there, pull them apart, fill the pipe up, and the plumber has a nice job on his hands in a rural section in maybe three, or four or five years to dig up the sewer and replace the pipe Sure, the pipe did not fail, but the joint failed. That is just as bad as the pipe. I have seen these pipes come out of the ground in ten years time all busted to pieces by three roots growing in there, expanding and breaking the pipes. Now that is a statement of fact.

There is another thing I want to bring to your attention here. When concrete pipes are laid, if you have any kind of a sanitary inspector at all who is doing his job, there is not one foot of that pipe covered with earth until that man is there and inspects it. Do not let anybody kid you on that.

The terra cotta pipe can be inspected at the plant and receive the inspector's or the sanitary district's approval merely on one of those guarantees that we were shown last week That guarantee has more holes in it than a sieve. It has to be inspected by the sanitary inspector, and in my particular township we have a plumbing inspector. You will not cover up one piece of anybody's pipe unless that plumbing inspector puts his "O K." on it.

I was amused listening to these arguments that I may have forgotten some of them. I did not think they were worth while making notes about, but some of them I have remembered.

I want to say this, that in the joining of cement pipe a mastic mix is recommended. Of course, some plumbers may use cement. That will be entirely up to the sanitary inspector. They may permit it in some places, but the cement pipe industry usually recommends a mastic mix so that the tree roots cannot get into the pipe.

I do not have anything further to say at this time, but I am ready for any more questions or remarks that may be put to me.

Mr. TOMPKINS. Mr. Speaker, I have listened with a great deal of interest to some of the remarks of the gentleman from Montgomery.

I would merely like to state this briefly: I called the attention of the House a couple of weeks ago, when this bill was before us, to the regulations of the Highway Department regarding the terra cotta pipe in certain areas, also the regulations of the Turnpike Commission. I want to state at this point in that connection that I know and you know, and we all agree, that concrete pipe is used for drainage purposes on your turnpikes and on your highways. There is no question about that.

I am afraid the gentleman from Montgomery was misinformed when he stated to the House that there was no terra cotta pipe used on the western end of the Turnpike, because I had a gentleman come to me after the Session that day who told me that he worked on the Turnpike, the western end of the Turnpike and that he personally laid plent of terra cotta pipe on the Turnpike.

I checked with the Commission and found out that that is true, that the same regulation prevails throughout the entire Turnpike, and it prevailed in connection with the regulation which I read on this floor a couple of weeks ago.

Referring to the federal regulations where sewage disposal is involved, those regulations provide, so far as sewer pipe is concerned:

> Except as otherwise shown, pipe for sanitary sewers shall be terra cotta; pipe for combined sewers shall be terra cotta."
>
> When they speak about sewer pipe joint material, they state that "Joints in sanitary and combined sewers shall be made with bituminous compound."

There must be a reason for those regulations. Those regulations are not made because of any legislation or anything; those regulations are made because there is a reason. The reason for those regulations in those cases where terra cotta pipe is specified is because of the fact that there are acid conditions present and that terra cotta pipe is impervious to acid conditions over a greater length or period of time than concrete pipe.

When the gentleman from Montgomery speaks about tree roots getting into terra cotta pipe, they also get into concrete pipe and have no relation to the issues involved in this bill, and that is the acids which pass through these pipes and cause the deterioration.

That same question can be stated in connection with the inspection work. The inspector is there, and it does not matter whether it is concrete, iron, terra cotta or any other kind of pipe, only for the purpose of seeing that it is properly laid and joined together. He is not there to determine the question as to what flows through it. Therefore, the arguments in connection with inspection have nothing to do with the subject of this bill, which is the protection of a pipe or pipes which will protect the flow for the greatest period of time. Terra cotta pipe is impervious to those things for a greater period of time than your concrete pipe.

There is no question about it some concrete pipe has lasted for a great number of years, but the general history of concrete pipe is that it deteriorates more rapidly under acids than the terra cotta pipe does. For that reason we think it is a protective measure to the home owner in order to see that he has the proper protection in the laying of his sewer lines.

We would ask that you vote this bill down.

Mr. KRATZ. Mr. Speaker, first off I would like to correct a statement attributed to me. I did not say the whole Turnpike was laid with concrete pipe. I do not know what is on the western end of the Turnpike. On the eastern end of the Turnpike, they have considerable amounts of concrete pipe used as drainage.

I want to take something else apart. The gentleman from Cameron made a statement yesterday, I believe I am correct, and he can correct me if I am not, that they were laying a section of concrete pipe with a terra cotta liner somewhere down on the Turnpike. That section is not being laid. That is the specification that was written as possibly a trial. I am informed that that specification will be changed to take out the terra cotta liner.

Now to go to the question of inspection. Certainly the sanitary inspector would not permit a cement pipe to be laid under a plumbing ordinance that calls for terra cotta pipe and no other. His physical inspection, however, on the ground would consist of seeing that that terra cotta pipe was in good shape, that the glaze was not cracked nor chipped. Because remember if that glaze was cracked or chipped, the pipe would be no good. The density of the material is such that it would not even contain the water.

You know in the farming industry those gentlemen buy miles and miles of four inch pipe, two inch and three inch for field drainage tiles. They buy clay pipe because it is so impervious to water when it is not glazed that they can lay it in the field. They lay the joints open and the water goes in through the joints, and it also goes in through the clay pipes. It is a highly desirable material where you want to get water to come into the pipe, and by the same token it will go out of the pipe anywhere where there is no glaze on it.

The cement industry has been rather successful, but they had to go to great lengths to make a porous pipe. They had to put mixtures in the cement that will gassify and make minute holes in the pipe to let the water run in. Of course, you do not have to do that with clay pipe, nature takes care of that. You correct that by putting the glaze on it.

So in closing, Mr. Speaker, I would like to ask a question. Is there a motion to amend on the floor at the present time?

The SPEAER. The question before the House is, shall the bill pass finally.

Mr. KRATZ. All right, Mr. Speaker, I do not have much more to say. I will just say this. I will certainly appreciate your support for this bill. It will give the people of Pennsylvania, the plumbing codes in Pennsylvania in various townships and the other interested parties, the American right to buy what they want and not hamstring them to buy just one particular thing that is so well protected by law.

Mr. TOMPKINS. Mr. Speaker, in connection with the present extension of the Turnpike east that the gentleman from Montgomery mentioned, the specifications which I read from this floor a couple of weeks ago were an exact take-out of the specifications which were out for bids to be opened on May 25th. If changes have been made in them since that time, I have no knowledge and I will take the gentleman's word for what he has stated in that respect. But what I read from this floor was a complete take-out of the specifications that were put in the hands of bidders for that purpose.

Mr. GLEASON. Mr. Speaker, the statement has been made by the gentleman from Clearfield County and I believe the gentleman from Cameron that the pipe will not stand household acids, if that is true, why do all the rural sections in the various parts of the state use cesspools made of cement?

We have in our area a company making cesspools out of cement. I happened to make one about 20 or 30 years

ago for our cottage, and that still stands and is still in good condition.

I hear them talk about acids. My father, who ran a tannery for years—we had three of them—we had many cement pools that acid lay in from various parts of the tannery and for settling basins. They never deteriorated from any acids.

I, on my farm, have a barnyard which lays with the offal from the cattle; the gutters lay with it in during the night period, with superphosphate put on it to haul out onto the field the next day—that cement has been in there for years and never deteriorated from acid.

I have a silo for which I made a pit that is five feet deep, that lays with silage for almost a period of a year. Maybe ten months out of the year that pit is full. There is a lot of acid there, and that cement is solid.

I cannot see outside of a monopoly bill what these men are fighting. Mr. Breth has a couple of terra cotta plants in his area. Mr. Tompkins above him in the next county has a terra cotta plant. I happen to have a cement pipe company in Lycoming County. I am here fighting for the men who work in those plants so they can sell their pipe for lateral work if the people want to buy it. Let us give them a choice whether they want to buy the cement pipe or the terra cotta. As far as that glaze, anyone knows that water going through a pipe gradually wears off anything, and that glaze will not last very many years in that pipe.

Mr. AUKER. Mr. Speaker, when this bill first appeared on the calendar I was rather concerned about it from a standpoint of sanitation and whether it would meet the requirements of sanitation and hygiene as referring mainly to private dwellings.

I have made my own investigations and have gotten very good information from experts who certainly do know what they are talking about, and have satisfied me personally that they know what they are talking about, that acid in sewage will not affect cement pipe in deteriorating the pipe any faster than it will affect terra cotta pipe, and maybe not as fast. So for that part of it I am perfectly satisfied that the bill is good.

Second, I too cannot see any reason why one kind of pipe should have a monopoly at the exclusion of other pipe which has been proven, and can be proven to be in every respect as good insofar as the inside drainage of the pipe is concerned, and most certainly so far as breakage and stability would be concerned it would be many hundred times stronger than ordinary terra cotta clay pipe. I ask the Members of the House to vote for the bill.

Mr. LOPRESTI. Mr. Speaker, there are just a couple things I want to mention and clear up.

The gentleman from Lycoming, I believe, Mr. Gleason, has mentioned septic tanks. For the information of the gentleman, the bacterial action in a septic tank changes completely the nature of the sewage in that tank, and changes it so that the acid does not have the effect that it has when it originally flows into the pipes.

Secondly, as to his statement on silos, any individual who has been on a farm for any length of time who has had experience with concrete silos will know that you have to recoat the inside of those silos every eight or ten years with a fresh coat of cement to replace the cement that has been eaten off by the acid effects of the silage.

Then there is the other argument as far as a monopoly is concerned. Perhaps clay pipe may have a monopoly today, but pass this bill, and it will not be many months until cement will have that monopoly.

Mr. GLEASON. Mr. Speaker, I do not like to take too much time, but just a rebuttal to that gentleman on the silo.

Usually the farmer who has to replace the cement in a silo goes down to the creek and gets a lot of sand that has dirt in it, and of course dirt and sand and cement do not work. It may last a year or two, but if they put good, clean moist gravel and sand in the cement, you do not have to worry about it.

We will give in to him on the septic tank angle, it may be that it is neturalized, but who neutralizes the acid waters in the rivers and creeks where all these bridge piers are standing. That acid water comes down there day in and day out, and those bridge piers and abutments are still standing.

Mr. LOPRESTI. Mr. Speaker, I would like to ask the gentleman who is going to keep the cement pipe manufacturers from using that same kind of dirty sand that you get out of a creek. What regulations are we going to have to keep that kind of pipe from being made,

Mr. PETROSKY. Mr. Chairman, in House Bill No. 664, Printer's No. 181, we note that there is an endeavor to amend the Act as it relates to Cities—Counties—First—Second and Second Class A, and Cities Third Class. I have had numerous requests from cities of the third class from my county wherein they tell me, and I specifically read in this bill, that the use of cement pipe, concrete pipe, is not mandatory. It is a provision inserted in a bill which today holds that only one particular product may be used for this particular purpose.

I do know that the acid conditions as stated by several Members on the floor do not hold good in the rural areas, and that is from whence I come, because today concrete septic tanks are recommended for disposals which we are using in the rural areas to dispose of the wastes in the kitchens.

The bill merely provides that a concrete pipe can be used in the event that someone would choose to use that type of pipe. It eliminates a monopolistic practice that has been existent for some time.

I would like to ask the membership on both sides of the House to vote in favor of this bill.

Mr. BRETH. Mr. Speaker, I just want to get a few more facts into the record. I will be brief.

Pennsylvania clay pipe is sold in 16 states. There are eight states that have plumbing codes. Three states that have plumbing codes nearby us are Maryland, New York, and Virginia. In cities of 5000 population or over, a check on those communities in New York and Maryland and in Virginia, they can use anything they want to use. There is no community in those three states where codes prevail written by the sanitary engineers in control of the Building Code that approve concrete pipe for house connections. That is, in Maryland, New York, and Virginia, the sanitary engineers, if they wanted to, could approve anything they desire, yet they do not approve concrete pipe.

In reference to remarks of the gentleman from West-

moreland, Mr. Petrosky, in his own district there are three cities that will be affected by this bill—Arnold, New Kensington, and Jeannette—and P. J. Malick, Frank Recco, and Leonard Schnupp, the engineers in those cities definitely do not and have refused to specify concrete pipe. They specify terra cotta pipe.

Mr. KRATZ. Mr. Speaker, let me point out to the gentleman that the engineers that he refers to will not be required by law to specify concrete pipe. They will still have the privilege of using their own local product, terra cotta pipe. This bill does not impose concrete pipe on anyone, it simply allows the engineer or architect who wants to use concrete pipe to do so. That is all I have in answer to that.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. CLAPPER and BRETH.

The roll was verified and was as follows:

YEAS—113

Auker,	Hamilton, R. K.,	McCullough,	Shotwell,
Barkdoll,	Hamilton, W. H.,	Metz,	Snider,
Baumunk,	Haudenshield,	Mikula,	Spencer,
Bear,	Hocker,	Miller,	Stank,
Blair,	Ide,	Moody,	Stimmel,
Bolton,	Jim,	Moore,	Stone,
Breisch,	Jones, Geo. E.,	Muldowney,	Stoner,
Brown,	Jones, Paul F.,	Munley,	Strausser,
Bucchin,	Jones, T. H. W.,	Naugle,	Sucher,
Buchanan,	Jump,	Needham,	Taylor,
Capano,	Kamyk,	Ogilvie,	Toomey,
Cioffi,	Keller,	Peifly,	VanSant,
Clapper,	Kent,	Petrosky,	Varner,
Connelly,	Kerlin,	Polaski,	Vaughan,
Conner,	Kohl,	Polen,	Wall,
Down,	Kolankiewicz,	Price,	Wargo,
Downey,	Kratz,	Quisenberry,	Waterhouse,
DuBois,	Kubacki,	Ragot,	Weidner,
Erb,	Lafore,	Readinger,	Wescott,
Ewing,	Leisey,	Reagan,	Whalley,
Floyd,	Light,	Richter,	White,
Flynn,	Limper,	Royer,	Whitenight,
Frost,	Lippincott,	Rubin,	Willaredt,
Geer,	Lovett,	Schmidt,	Williams,
Gleason,	Markley,	Schuster,	Wilt,
Goodling,	Mathews,	Scott,	Wood,
Greenwood,	McCann,	Seyler,	Yeakel,
Hall,	McCormack,	Shoemaker,	Young,
			Ziegler,

NAYS—43

Alexander,	Gibson,	Lopresti,	Pfaff,
Banker,	Guss,	Mahan,	Reidenbach,
Boory,	Guthrie,	Maxwell,	Rovansek,
Bower,	Harris,	McDermit,	Smith, W. B.,
Breth,	Helm,	McGee,	Toll,
Curwood,	Hersch,	McWherter,	Tompkins,
Davis,	Hewitt,	Mills,	Walsh,
Dunn,	Hoggard,	Monroe,	Welsh,
Ferster,	Johnson,	Moran,	Worley,
Filo,	Jones, Gran'le E.,	Moscrip,	Smith, C. C.,
Fleischman,	Kromer,	Musto,	Speaker

NOT VOTING—51

Adam,	Dougherty,	Lutty,	Sarraf,
Amarando,	Farabaugh,	Maguire,	Schwartz,
Andrews,	Fenrich,	McInroy,	Stevenson,
Ashton,	Flack,	Mihm,	Thomas,
Bazin,	Glick,	Murray, J. J.,	Thompson,
Boies,	Gramlich,	Murray, P. G.,	Varallo,
Bomberger,	Gutendorf,	Olsen,	Verona,
Bullen,	Jenkins,	Parlante,	Wallace,
Cianfrani,	Kline,	Peta,	Watkins,
Cochran,	Kornick,	Pettigrew,	Wheeler,
Comer,	Lederer,	Phillips,	Yetzer,
Cooper,	Leonard,	Poltenstein,	Zeitz,
Coyle,	Leven,	Rosen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Charles C. Smith) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Armstrong for presiding.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session today, at four o'clock p.m., Eastern Standard Time.

JOHN S. FINE.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

Mr. GOODLING. Mr. Speaker, I move that the Governor, the Honarable John S. Fine, be invited to the Hall of the House of Representatives to address the General Assembly at a time to be fixed by Concurrent Resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 27, 1953.

Resolved, (if the House or Representatives concur), That the Senate and House of Representatives meet in joint session Wednesday, May 27, 1953, at four o'clock p. m., E. S. T. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Repre-

sentatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED TO ESCORT GOVERNOR TO HALL OF HOUSE

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the Hall of the House, Messrs. GOODLING, GIBSON and LOVETT.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. ROYER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 27, 1953.

Resolved, That the Speaker appoint a Committee of two to escort the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED TO ESCORT SENATE

The SPEAKER. The Chair appoints as a committee to escort the Senate to the Hall of the House for the purpose of listening to an address of his Excellency the Governor, Messrs. ROYER and KOLANKIEWICZ.

SPECIAL ORDER ON SENATE BILL 582 (CONTINUED)

The SPEAKER. The Chair will again lay before the House the special order of busines on Senate Bill 582.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Wood.

Mr. WOOD. I yield to the gentleman from McKean, Mr. Johnson.

The SPEAKER. The gentleman from Lancaster yields to the gentleman from McKean. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. For the information of the House, we are again considering the appropriation bill for the Department of Public Assistance starting with the new biennium, June 1, 1953. When it was brought up earlier this morning a question was presented as to whether the $15 million provided any funds to take care of any deficiencies occurring prior to the close of this biennium, May 31, 1953.

I was quite surprised when the Minority Leader raised that question because I was under the impression all Session that there was a $10 million lapse in the Public Assistance appropriation. I find that my information was correct and that the verbiage in the bill at the present time which says that they can use some of the funds for expenses, and so forth, incurred up to May 31, 1953, is mere surplusage and does not have to be in the bill. As I understand it, that is the usual phrasing that is copied into the various stop-gap bills as they are presented.

My information is that when Governor Fine presented his budget of $21,789,445 worth of lapsed appropriations, that of that sum $10,159,000 was lapsed appropriations as far as public assistance is concerned.

I understand that it is quite possible that that sum of $10 million may be increased by another $2 million before the final count is taken as to budget requirements of the biennium which will end May 31.

I want to say that there is no statement of deficiencies to be presented at this time. The $15 million is for the biennium starting June 1, 1953, as I understand it.

Mr. ANDREWS. I thank the Majority Leader. The language in the bill was misleading ,and knowing the practices of the Departments I just wanted to be sure this was not an afterthought designed to cover up an afterthought upon the part of the Department.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as followas:

YEAS—201

Adam,	Glick,	Mathews,	Schuster,
Alexander,	Goodling,	Maxwell,	Schwartz,
Amarando,	Gramlich,	McCann,	Scott,
Andrews,	Greenwood,	McCormack,	Seyler,
Ashton,	Guss,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Hall,	McInroy,	Snider,
Baumunk,	Hamilton, R. K.,	McWherter,	Spencer,
Bazin,	Hamilton, W. H.,	Metz,	Stank,
Bear,	Harris,	Mihm,	Stevenson,
Blair,	Haudenshield,	Mikula,	Stimmel,
Boles,	Helm,	Miller,	Stone,
Bolton,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Strausser,
Bower,	Hocker,	Moody,	Sucher,
Breisch,	Hoggard,	Moore,	Taylor,
Breth,	Ide,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Coyle,	Kline,	Petrosky,	Waterhouse,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
Dunn,	Kubacki,	Poltenstein,	White,
Erb,	Lafore,	Price,	Whitenight,
Ewing,	Lederer,	Quisenberry,	Willaredt,
Farabaugh,	Leisey,	Ragot,	Williams,
Fenrich,	Leonard,	Readinger,	Wilt,
Ferster,	Leven,	Reagan,	Wood,
Filo,	Light,	Reidenbach,	Worley,
Flack,	Limper,	Richter,	Yeakel,
Fleischman,	Lippincott,	Rosen,	Yetzer,
Floyd,	Lopresti,	Rovansek,	Young,
Flynn,	Lovett,	Royer,	Zeitz,
Frost,	Lutty,	Rubin,	Ziegler,
Geer,	Maguire,	Sarraf,	Smith, C. C.,
Gibson,	Mahan,	Schmidt,	Speaker
Gleason,	Markley,		

NAYS—1

DuBois,

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson.	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 811, Printer's No. 94,
House Bill No. 812, Printer's No. 95,
House Bill No. 813, Printer's No. 96,
House Bill No. 814, Printer's No. 97,
House Bill No. 816, Printer's No. 99.
House Bill No. 821, Printer's No. 196,
House Bill No. 822, Printer's No. 150,
House Bill No. 833, Printer's No. 205,
House Bill No. 902, Printer's No. 293,
House Bill No. No. 952, Printer's No. 238,
House Bill No. 1017, Printer's No. 270,
House Bill No. 1105, Printer's No. 253 and
House Bill No. 1107, Printer's No. 277

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1181, as follows:

An Act to further amend Section 611 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the secretary of a county association of township supervisors to be elected as a delegate to the State Association Meeting

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 611 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows

Section 611 Delegates Each county association of township supervisors shall elect one township supervisor or township secretary or the secretary of the county association for each ten townships or fraction thereof within said county as a delegate to each annual meeting of said State association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Markley,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Toll,
Bucchin,	Jenkins,	Moscrip,	Tompkins,
Buchanan,	Jim,	Muldowney,	Toomey,
Bullen,	Johnson,	Munley,	VanSant,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pettigrew,	Welsh,
Dougherty,	Kornick,	Pfaff,	Wescott,
Down,	Kline,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Farabaugh,	Leisey,	Ragot,	Wilt,
Fenrich,	Leonard,	Readinger,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Filo,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Floyd,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lovett,	Royer,	Ziegler,
Frost,	Lutty,	Rubin,	Smith, C. C., Speaker
Geer,	Maguire,	Sarraf,	
Gibson,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1187, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Comonwealth" by making unlawful fraudulent practices in connection with documents of title bulk sales and security interests

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Comonwealth" is hereby amended by adding imediately after Section 851 a new section to read as follows

Section 851.1 Fraudulent Practices in Connection with Documents of Title Bulk Sales and Security Interests (a) Whoever being a bailee or any agent servant or officer thereof issues or aids in issuing a document of title knowing that the goods covered by the document of title have not been received by him nor under his control at the time the document is issued is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand ($5000) dollars or undergo imprisonment not exceeding five (5) years or both

(b) Whoever being a bailee or any agent servant or

officer thereof issues or aids in issuing a document of title knowing that it contains any false statement is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars or undergo imprisonment not exceeding one (1) year or both

(c) Except as provided in Section 7-601 of the "Uniform Commercial Code" approved the sixth day of April one thousand nine hundred fifty-three Act No 1 whoever being a bailee or any agent servant or officer thereof issues or aids in issuing a duplicate or additional negotiable document of title knowing that a former negotiable document for the same goods or any part of them is outstanding and uncancelled is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand ($5000) dollars or to undergo imprisonment not exceeding five (5) years or both

(d) Except as provided in Sections 7-403 and 7-601 of the "Uniform Commercial Code" approved the sixth day of April one thousand nine hundred fifty-three Act No 1 whoever being a bailee or any agent servant or officer thereof delivers goods knowing that they are covered by an outstanding document of title the negotiation of which would transfer the right to possession thereof without obtaining the negotiable document is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars or undergo imprisonment not exceeding one (1) year or both

(e) Whoever being a warehouse man or any agent servant or officer thereof in possession of goods which he owns in part wholly or jointly issues a negotiable warehouse receipt therefor without noting his ownership on the receipt is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars or to undergo imprisonment not exceeding one (1) year or both

(f) Whoever with intent to defraud obtains a negotiable document of title for goods to which he does not have title or which are subject to a security interest and negotiates the document for value without disclosing his want of title or the existence of the security interest is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars or undergo imprisonment not exceeding one (1) year or both

(g) Whoever with intent to defraud secures the issue by a bailee of a negotiable document of title knowing at the time of issue that any or all of the goods are not in possession of the bailee by inducing the bailee to believe that the goods are in the bailee's possession is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand ($5000) dollars or undergo imprisonment not exceeding (5) years or both

(h) Whoever with intent to defraud negotiates or transfers for value a document of title which by the terms thereof represents that goods are in possession of the bailee which issued the document knowing that the bailee is not in possession of the goods or any part thereof without disclosing this fact is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand ($5000) dollars or undergo imprisonment not exceeding five (5) years or both

(i) Any vendor of any stock of goods in bulk fixtures wares or merchandise of any kind or any person who is acting for or on behalf of any vendor who shall knowingly or wilfully make or deliver or cause to be made or delivered a statement as provided for in Section 6-104 of the "Uniform Commercial Code" approved the sixth day of April one thousand nine hundred fifty-three Act No. 1 which shall not include the names of all of the creditors of such vendor with the correct amount due and to become due to each of them or which shall contain any false or untrue statement is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five thousand ($5000) dollars or to undergo imprisonment not exceeding six (6) months or both

(j) Any person or persons firm or corporation or any person or persons acting for or on behalf of any firm or corporation who shall procure from any seller or vendor a list of creditors as hereinabove set forth through fraud misrepresentation or deceit for the purpose of injuring the seller or vendor in his business and not for the purpose of securing the creditors of the seller or vendor is guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars

(k) Whoever being a debtor in possession of goods defined in clause (f) of subsection (1) of Section 9--105 of the "Uniform Commercial Code" approved the sixth day of April one thousand nine hundred fifty-three Act No. 1 subject to a security interest maliciously or fraudulently sells injures destroys conceals abandons or defaces identifying marks on such goods or otherwise disposes of such goods under claim of full ownership shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred ($500) dollars or undergo imprisonment not exceeding one (1) year or both

Section 2 The provisions of this act shall become effective at 12:01 A. M. on the first day of July one thousand nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Metz,
Bear,	Hamilton, W. H.,	Stank,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Toll,
Bucchin,	Jenkins,	Moscrip,	Tompkins,
Buchanan,	Jim,	Muldowney,	Toomey,
Bullen,	Johnson,	Munley,	VanSant,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Curwood,	Kline,	Petrosky,	Weidner,
Davis,	Kohl,	Pettigrew,	Welsh,
Dougherty,	Kolankiewicz,	Pfaff,	Wescott,
Down,	Kornick,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Farabaugh,	Leisey,	Ragot,	Wilt,
Fenrich,	Leonard,	Readinger,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Filo,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Floyd,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lovett,	Royer,	Ziegler,
Frost,	Lutty,	Rubin,	Smith, C. C., Speaker
Geer,	Maguire,	Sarraf,	
Gibson,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—5

Bomberger, Cooper, Murray, P. G., Thompson, Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE REPORT

Mr. ROYER. Mr. Speaker, your committee appointed to wait upon the Senate and escort that body to the Hall of the House has performed its duty, and the Senate is now in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House.

The Lieutenant-Governor, the Honorable Lloyd H. Wood is invited to preside over the Joint Session of the General Assembly. The President pro tempore of the Senate, the Honorable M. Harvey Taylor and the Secretary of the Senate, the Honorable G. Harold Watkins are invited to be seated on the rostrum.

The members of the Senate will please be seated.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT-GOVERNOR LLOYD H. WOOD PRESIDING.

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, the committee appointed to escort the Governor to the Hall of the House.

Mr. WATSON. Mr. President, I have the honor to present to you his Excellency the Governor, John S. Fine.

LIEUTENANT-GOVERNOR WOOD. Members of the General Assembly, I have the privilege and the honor of presenting His Excellency the Governor of the Commonwealth, Honorable John S. Fine, who will address you.

ADDRESS OF GOVERNOR JOHN S. FINE

GOVERNOR JOHN S. FINE. Lieutenant-Governor Wood, President pro tempore of the Senate Taylor, Speaker of the House Smith, honorable Members of the General Assembly,

The distinguished Speaker of the House consulted with me yesterday before the Republican House Caucus, and he then advised me of a speech delivered by the able Minority Leader of the House. In that speech Mr. Andrews, I understand, sought further enlightenment of the Governor's attitude on pending tax measures, before he and the minority members of the House would take definite action on tax legislation.

I informed Mr. Smith I was contemplating an early informative message to the Legislature on budgetary matters, now that the close of the present biennium affords more precise data of our fiscal affairs and permits a more accurate projection of our future financial structure. I further advised him that I could complete with some effort a reappraisal of the budget, submitted to you on January 26th, and speak to the Legislature today on both the budget and taxes.

I am addressing you to give you and the people of the State my evaluation of the situation and to make some suggestions for arriving at a program to break the present impasse. In my opinion, it is not a most desirable program.

When I submitted the budget I did not have the complete reports of the State Government Survey Committee nor of the Tax Study Committee. The Tax Study Committee report gives ample evidence to confirm the recommendations I made two years ago that our revenue system needs a broad base tax. That need is even greater now than it was two years ago and under existing laws, particularly school subsidy laws, there will be an increasing need for a broad base tax which will continue to increase every biennium to 1959-1961.

The State Government Survey Committee report commenting on the over-all State Government administration reveals this pertinent statement: "There is ample evidence from task force reports and other sources that the present functioning of the State Government possesses many desirable features and that in general it compares very favorably with governmental operations in other states."

This conclusion is clearly supported by the Tax Study Committee report, which shows that in comparison with other states the tax burden in Pennsylvania is moderate. The increase in the cost of government in 15 leading states from 1940 to 1951 was compared by the Tax Study Committee. It was found that the increase in Pennsylvania—94%—is low compared with the other states, with the exception of New Jersey. The increase in California was 247%; New York 128%; Maryland 323%; Michigan 223%; North Carolina 354%. On a per capita expenditure basis Pennsylvania stands near the bottom. Anyone who reads this report carefully will have to conclude that while expenditures have shown a big increase in all states, the increase in Pennsylvania has been a moderate one.

This State is rapidly taking over a larger and larger share of financing public school costs. From 1943 to 1951 this increased from 26.2% to 40.6%; now the share is about 45%.

Not so many years ago local governments had a share in caring for the mentally ill. Now the State carries the entire cost excepting where patients or their families contribute toward the cost. The entire cost of Public Assistance is borne at the State level.

The revenue problem in Pennsylvania is one of securing the proper and fair distribution of the tax load. The absence of a broad base tax has brought about maldistribution of the tax burden in this State.

In my budget message I told you that in view of the heavy burden of taxes, chiefly federal, which people are carrying my outstanding aim was to prepare a minimum budget. I explained the large amount of additional obligations for 1953-1955 which are mandated by existing laws—$95 million of which $81 million are for education purposes. The appropriations recommended were $100 million above appropriations for the present biennium. By virtue of the desperate scheme to balance the budget for 1951-1953 by acceleration of one-half year of Corporate Net Income tax it turned out that $157 million in new revenue was needed to balance the budget which I presented.

In my budget message I invited the Legislative exam-

ination of every appropriation recommended to determine if I had succeeded in preparing a minimum budget. I made available the Report of the State Government Survey Committee and recommended the adoption of most of the proposals of that Committee in the interest of economy. In this connection I want to call your attention to the fact that I have adopted an administrative policy which will assure the putting into effect every administrative recommendation made in that report.

If the General Assembly will enact the legislation that I shall discuss later, the resultant savings and additional revenues when added to those already reflected in my original budget will be far greater than the General Fund savings estimated in State Government Survey Committee report.

The only proposals I have seen to make reductions in the budget I submitted is a $19 million program made up by the Republican Caucus. $5 million of this was a further reduction in Public Assistance and $2.5 million in School Health examinations. Quite a number of the reductions were an arbitrary 10% and the reduction would greatly interfere with the work of the departments

The new biennium is now upon us. Without a full program of appropriations and revenue State services are seriously disrupted. We learned that two years ago during that long protracted session of 1951. The departments are left in the position of not knowing what programs they should undertake. Educational institutions, hospitals, and many State-supported activities, are left in a state of suspended uncertainty. If a revenue program is not adopted by June first there then would not be two full years' taxes for those which come in regularly during each month.

To prevent such a situation is one of the compelling reasons for my appearance here today.

When the budget was drafted we were forced to comply with the laws then in effect. All appropriations not compelled by existing laws were kept to a minimum.

The first phase of our reappraisal deals with reductions in appropriations for departmental operations. I propose these reductions not because I feel the amounts are unnecessary. There will need to be a great deal of curtailment and impairment of some services.

To achieve most of these reductions in appropriations legislation is being prepared to give the Governor the power to reorganize departments, boards and commissions in order to secure the maximum economies. Some of these were proposed by the State Government Survey Committee. My analysis of the report of that Committee leads me to conclude that the adoption of the general principles set forth in that report with such modifications as may appear necessary will permit substantial savings. In fact I believe in many areas greater savings can be made than those estimated by the Committee. The legislation I am proposing would permit economies in fields to which the State Government Survey Committee did not extend.

In addition to the broad reorganization power mentioned the Legislature should remove some of the "red tape" now required in connection with State procurement, and provide for an escalation clause in connection with major contracts. Caution will be required in drafting such legislation in order to permit greater latitude in purchasing while at the same time providing adequate protection from abuses.

Legislation for tightening controls over public assistance now before the Legislature should be immediately enacted. This will permit further savings in public assistance grants.

This phase of the program will reduce appropriations by about $11 million, and increase revenues by $1.5 million.

The second phase of the plan relates to the field of school subsidies. Some reductions can be made providing the legislation that I will discuss later is enacted. These reductions are small by comparison with some of the figures variously suggested from time to time. I do not believe the larger figures to be realistic. They contemplate elimination of a major portion of the mandated school costs to the local school districts. I am firmly convinced that most of our school districts are unable to assume such additional financial responsibility.

Act 481 of 1947, "the tax all" law, which gives municipalities and school districts broad taxing powers, has failed to achieve the purposes claimed for it. It has permitted school districts with adequate resources to increase greatly school costs. Districts without resources are still finding it difficult to finance even their nominal share of mandated school costs. Furthermore, these local taxes have hampered the State in the development of its own tax program.

There are certain school subsidies which need clarification in order to eliminate abuses. They include the following:

1. A clarifying provision for reimbursement for teaching kindergarten pupils. In view of the fact that such pupils attend school for only one-half day, the number of such pupils per teaching unit should be doubled, that is, from 30 to 60 pupils in average daily membership.

2. Reimbursement for instruction purposes should be limited so that no school district will receive more than the actual amount spent for instruction. Nor should the total State reimbursement to any school district exceed the total amount spent for current operating expenditures.

3. Legislation should be enacted tightening provisions for extra subsidies for mergers and jointure and for rental on school buildings constructed by means of Authorities. Such subsidies should be limited to districts where the merger, jointure, or additional school plant could definitely be proven to produce improved educational administration. These three changes in school subsidy legislation should yield savings of about $12 million in appropriation for school subsidies.

These two groups of proposals would result in budget reductions of $23 million and increased revenue of $1.5 million.

We may have to re-assess our salary increases for employes due to the present financial crisis. Should you adopt the forty hour week for institutional employes, the required increased appropriation for a ten per cent raise and the shorter work week would be $27.5 million, or $12.5 million more than originally contemplated in my Budget. If you decided to give the institutional employes a shorter work week with only a five per cent increase, the total increased appropriations for all employes will be $20 million, or $5 million more than originally con-

templated in the Budget. The latter course would result in a cut of $7.5 million in my present Budget. If you can provide the funds for the full increase of ten per cent, it should be done. I consider it reasonable.

Because the Budget contains additional grants to the various State-supported hospitals, and in view of our limited finances, I suggest changing the amount allowed for nurses training back to the rate that existed prior to 1951. This would provide $75.00 per nurse instead of the present $150.00. This would result in a reduction in appropriation of over $1 million.

The adoption of all these suggestions would result in appropriation reductions of about $32 million, and increased revenues of about $1.5 million. I will furnish the Appropriation Committees with detailed figures showing the items to effect these changes.

In addition to the $33.5 million mentioned above, it appears now that appropriation lapses for the current biennium will exceed my original estimates by about $6 million. Thus the difference between estimated revenues based on existing taxes and the adjusted appropriations would drop from $157 million to approximately $117.5 million.

In determining the amount of additional revenue required to bridge the gap between estimated funds available and appropriations we must take into account the revenues collected during the biennium expiring next Sunday. We have reviewed the estimates for the next biennium. We are now in position to know within very narrow limits what will be collected. I am informed that total General Fund collections for this biennium will be almost exactly equal to our estimates. We cannot count on any amount over the estimate for this biennium.

If there can be better estimates I would like to see them. This should be sufficient answer to those who two years ago wanted to balance the budget by deliberately inflating revenue estimates.

After a thorough study of collections for this biennium and of more recent economic trends we believe the revenue or income estimate in the Budget for the next biennium can be increased $20 million.

This, then, further narrows the gap between funds available and appropriations to $97.5 millions. This is $60 million below the amount estimated in the Budget.

In these caluculations I did not take into account any possible reduction in the legislative or judicial appropriations. These are entirely within the province of the General Assembly.

Additional appropriations for health programs, flood control, and to replenish the State Fire Insurance Fund are needed. An appropriation is badly and sorely needed for repair work at Erie harbor. These programs, including $2 million more, will require at least $7 million and are not included in my original budget. Nor does the Budget provide for establishing a 40-hour week at the welfare and health institutions. This shorter week is in conformity with prevailing employment practices generally in public and private services, and in my opinion this shorter week should be adopted. This is necessary if we are to secure the required competent personnel to staff our institutions. To do so would require about $12.5 million additional. The Budget does not provide for appropriations of $2,700,000 required in the two child care bills now in the Legislature. I strongly urge the enactment of these two bills.

With these additional appropriations the gap between revenues and appropriations will be $120 million.

The Legislature must provide the necessary additional revenue—either by increasing existing taxes or seeking taxes not now used in Pennsylvania, or by using a combination of the two.

I shall now discuss taxes. I should like to point out that the one major tax that has received first call every time additional revenues were needed has been the Corporate Net Income tax. It is understandable that from a purely political point of view this is ordinarily the least objectionable tax to impose. It is an indirect tax and, therefore, is not recognized by the consumer in the form of higher prices. But the ease with which this tax can be passed on to the ultimate consumer depends on the relative competitive position of Pennsylvania corporations with those of other competitive states.

I want to call your attention to the Tax Study Committee report which shows Pennsylvania near the top among 15 leading industrial states in state taxes on corporations. Moreover the report shows that when the total tax burden on corporations, both local and state are taken into consideration Pennsylvania stands above all the surrounding states. This comparison is based on taxes related to net investment. Any further increases in this field of taxation will place Pennsylvania at a competitive disadvantage to both labor and industry. This I fear might prove disastrous to our entire economy.

The most damaging result of the corporate tax is its effect on the employment opportunities of our citizens. Pennsylvania is a major industrial State. We must keep it so. Its prosperity is dependent on the prosperity of its industries, which provide the jobs for our citizens. Any losses of industries to Pennsylvania would mean lost jobs for our people, and great reductions in our business and commerce.

My position on this tax has been clearly stated on numerous occasions. As recently as May 16th, in a speech at the Pennsylvania Wool Festival held in Greene County, I said:

"We cannot tax industry—no matter what branch of endeavor it may represent—into impotence. I can tell you that this Administration has no such thought, though we are beset by tax problems. I recognize—as you who are in industry must recognize—that we must never shackle with overburdensome taxes those sources of free enterprise which furnish so much work to our citizens and make a decent livelihood possible to them." In these circumstances, I would be impelled to veto any such legislation.

That has been my position throughout this Administration. It has been constant and consistent; my position will not change. None of us should surrender industrial expansion or rehabilitation to an expediency which poses serious competitive problems for our business and industry. Much has been said about "party liquidation." Some concern must be shown about "business liquidation," and the liquidation of the State economy.

I also stated my position in a talk before the Tax Institute on May 7th in which I said:

"It is not the weight of State taxation in this State that is the problem—it is its distribution."

The Tax Study Committee report lists a number of potential taxes not now used in Pennsylvania.

Naturally I have convictions on most of them. We are mindful, too, that no one particularly likes taxes. I detest them as much as any other Pennsylvanian, but we all know they are necessary if needed services are to be performed.

I have advocated in and out of season the advisability of a healthy tax climate. My labors have not been entirely wasted. I do believe the people of this Commonwealth are coming in increasing number into agreement with me that a broad base tax is not only desirable, but is highly necessary if we are to dispel the pall of tax-timidity which constantly hangs over all segments of our people and of our economy. What I may say about taxes in no way forecloses the door to the enactment of a broad base tax at this session. I might add a mercantile tax, construed by some as a broad base tax, should be avoided, if at all possible. I do not like it.

I dislike very much a so-called Unincorporated Business Tax. It would be with great reluctance that such a measure could meet with approval.

The 1953 platforms of the Republican and Democratic Parties opposed the enactment of a soft drink tax, such as was imposed by the 1947 session of the Legislature. Party promises should be kept. Nor should an industry be obliged to bear an undue proportion of taxes.

This industry would, I am sure, cooperate with the Assembly in its present fiscal dilemma, particularly in view of changed conditions in the imposition of a just and reasonable tax.

Additionally to what I have already stated on taxes, I now list taxes which will return $151,500,000.

From this list and others, as mentioned by me, you may secure to balance this Budget either $120,000,000 or $127,-500,000, whichever you determine necessary. I do not advocate any particular tax. I might be compelled to sign any or all of the following taxes to provide necessary funds for health, welfare, education, and other services for our people. All these taxes are distasteful to me:

1. A tax on cigars, chewing and smoking tobacco at rates similar to the federal rates
2. A hotel room tax of New York City type
3. A tax on jewelry, furs, toilet preparations, luggages, handbags, wallets, etc. similar to the federal tax but at 5%
4. Amusement tax @ 10%
5. Per Capita tax, $5 per person, 21 to 65 years
6. A tax on domestic and commercial users of gas and electricity @ 3.5%
7. A tax on intrastate telephone and telegraph @ 5%
8. An increase of 1c per package on cigarettes

As I said at the outset, this whole discussion is for the purpose of aiding to the solution of this financial problem. It is an emergency problem. The tax posture you mould, except it be a broad base tax, falls far short of my ideas of a sound fiscal plan. It is far preferable to a protracted session such as the last one which after all ended with an unsatisfactory program. Another long session would be tragic. Recurrent biennial tax snarls, with resultant deficit financing, disproportionate tax burdens, and punitive tax policies, are now producing immeasurable harm to our economy and are deterrents to our progress and welfare.

I want to say that the Republican leadership of the House is deserving of much credit for their able direction of the advocates of a broad base tax.

In a sense they did not fail. They were fouled.

The minority party was lashed to its 1952 platform which was opposed to the only two broad base taxes which are constitutionally permissible, and of course, being so regimented, they were accordingly not helpful. Only the most compelling reasons can justify failure to adhere to platform pledges. I recognize that in the minority party as I would like to have it recognized in my own party.

Perhaps the tax impasse is a compelling reason. However that is for the minority to decide.

In any event, I do agree with this statement in the 1950 Democratic platform: "The present laws of Pennsylvania are a chaotic hodge podge of unscientific and uncoordinated tax levies." That is certainly true.

We must all recognize, however, it seems to me that this is no time for recriminations between members of the same party or between members of the different parties. All of us are in this together. We together must solve this problem for the good of Pennsylvania.

LIEUTENANT-GOVERNOR WOOD. Governor Fine, in behalf of the General Assembly, I wish to assure you that your message will receive serious consideration on the part of the General Assembly.

JOINT SESSION ADJOURNED

LIEUTENANT-GOVERNOR WOOD. The purpose for which the General Assembly was convened having been accomplished the Chair now declares the Joint Session adjourned.

The Senators will please reassembly in the Senate Chambers.

The SPEAKER (Charles C. Smith) IN THE CHAIR

PROCEEDINGS OF JOINT SESSION PRINTED IN JOURNAL

Mr. ERB. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House held Wednesday, May 27, 1953, be printed in full in this day's Legislative Journal.

The motion was agreed to.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 1217, Printer's No. 213,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1271, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 545 of the act approved the first day of May one thousand nine hundred thirty-three (P. L.

103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby further amended to read as follows

Section 545 Meetings Duties Quorum Surcharges Compensation The auditors of townships shall meet annually at the place of meeting of the supervisors on the day following the day which is fixed by this act for organization of the township supervisors and shall organize by the election of a chairman and secretary and shall audit settle and adjust the accounts of the supervisors superintendents roadmasters treasurer and tax collector of the township and fix the compensations for the current year authorized in sections 515 and 540 hereof Two auditors shall constitute a quorum The auditors shall also make an audit of the dockets transcripts and other official records of the justices of the peace to determine the amounts of fines and costs paid over or due the township and the dockets and records of the justices of the peace shall be open to inspection by the auditors for such purpose

Any elected or appointed officer whose act error or omission has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss and the surcharge of any such officer shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of such officers nor to any penalty ensuing to the benefit of or payable to the Commonwealth

Each auditor shall receive [five] ten dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township but in no event shall be entitled to receive more than two hundred ($200) for any calendar year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adam,	Gleason,	Markley,	Schmidt,
Alexander,	Glick,	Mathews,	Schuster,
Amarando,	Goodling,	Maxwell,	Schwartz,
Andrews,	Gramlich,	McCann,	Scott,
Ashton,	Greenwood,	McCormack,	Seyler,
Auker,	Guss,	McCullough,	Shoemaker,
Banker,	Gutendorf,	McDermit,	Shotwell,
Barkdoll,	Guthrie,	McGee,	Smith, W. B.,
Baumunk,	Hall,	McInroy,	Snider,
Bazin,	Hamilton, R. K.,	McWherter,	Spencer,
Bear,	Hamilton, W. H.,	Metz,	Stank,
Blair,	Harris,	Mihm,	Stevenson,
Boies,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Boory,	Hersch,	Mills,	Stoner,
Bower,	Hewitt,	Monroe,	Strausser,
Breisch,	Hocker,	Moody,	Sucher,
Breth,	Hoggard,	Moore,	Taylor,
Brown,	Ide,	Moran,	Thomas,
Bucchin,	Jenkins,	Moscrip,	Toll,
Buchanan,	Jim,	Muldowney,	Tompkins,
Bullen,	Johnson,	Munley,	Toomey,
Capano,	Jones, Geo E.,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Coyle,	Kerlin,	Peta,	Wargo,
Curwood,	Kline,	Petrosky,	Waterhouse,
Davis,	Kohl,	Pettigrew,	Weidner,
Dougherty,	Kolanklewicz,	Pfaff,	Welsh,
Down,	Kornick,	Phillips,	Wescott,
Downey,	Kratz,	Polaski,	Whalley,
Dunn,	Kromer,	Polen,	Wheeler,
Erb,	Kubacki,	Poltenstein,	White,
Ewing,	Lafore,	Price,	Whitenight,
Farabaugh,	Lederer,	Quisenberry,	Willaredt,
Fenrich,	Leisey,	Ragot,	Williams,
Ferster,	Leonard,	Readinger,	Wilt,
Filo,	Leven,	Reagan,	Worley,
Flack,	Light,	Reidenbach,	Yeakel,
Fleischman,	Limper,	Richter,	Yetzer,
Floyd,	Lopresti,	Rosen,	Young,
Flynn,	Lovett,	Rovansek,	Zeitz,
Frost,	Lutty,	Royer,	Ziegler,
Geer,	Maguire,	Rubin,	Smith, C. C., Speaker
Gibson.	Mahan,	Sarraf,	

NAYS—3

DuBois.	Lippincott,	Wood,

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1299, as follows:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys the use benefit enjoyment or control of which would not be available to certain non-resident beneficiaries entitled thereto and providing remedies to such beneficiaries under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following terms when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Beneficiary" shall mean and include any legatee devisee distributee or other person who is entitled to share in the distribution of money or other property held by a fiduciary and who is not a resident of the United States its territories or possessions

"Fiduciary" shall mean and include any executor administrator trustee or guardian whether domiciliary or ancillary individual or corporate subject to the jurisdiction of a court

"Court" shall mean the court of record having jurisdiction over the fiduciary

Section 2 Decree of Partial Distribution or of Payment Without Escheat Whenever it shall appear to the court that if distribution were made a beneficiary would not have the actual benefit use enjoyment or control of the money or other property distributed to him by a fiduciary the court shall have power and authority to direct the fiduciary (a) to make payment of the share of such beneficiary at such times and in such manner and amounts as the court may deem proper or (b) to withhold distribution of the share of such beneficiary convert it to cash and pay it through the Department of Revenue into the State Treasury without escheat

Section 3 Custody of Funds in Commonwealth Fiduciary Released Upon receipt of the money directed to be paid into the State Treasury the Commonwealth shall assume the custody of such money for the benefit of such beneficiary The fiduciary by making such payment shall thereafter be relieved of and released from any and all liability for any claim or claims which then exist or thereatfer arise with respect to such money

Section 4 Repayment Any beneficiary or person legally entitled to any money which has been paid into the State

Treasury under the provisions of this act may at any time petition the court which directed such payment into the State Treasury for repayment of the same Upon proof to the satisfaction of the court of the petitioner's ownership of such money and that he will have the actual possession benefit use enjoyment or control thereof the court shall enter a decree directing the Board of Finance and Revenue to make an order for repayment payable out of funds in the State Treasury appropriated for that purpose with interest thereon at the rate of two percentum per annum from the date when the said money was paid into the State Treasury to the date of repayment thereof

Section 5 Appeals Any party in interest may appeal as in other cases from any order or decree of the court entered pursuant to the authority of this act

Section 6 This act shall become effective immediately upon its final enactment and shall apply to any money or other property of any beneficiary not distributed prior to that date

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Toll,
Bucchin,	Jenkins,	Moscrip,	Tompkins,
Buchanan,	Jim,	Muldowney,	Toomey,
Bullen,	Johnson,	Munley,	VanSant,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Curwood,	Kline,	Petrosky,	Weidner,
Davis,	Kohl,	Pettigrew,	Welsh,
Dougherty,	Kolankiewicz,	Pfaff,	Wescott,
Down,	Kornick,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Farabaugh,	Leisey,	Ragot,	Wilt,
Fenrich,	Leonard,	Readinger,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Filo,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Floyd,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lovett,	Royer,	Ziegler,
Frost,	Lutty,	Rubin,	Smith, C. C.,
Geer,	Maguire,	Sarraf,	Speaker
Gibson	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 902, as follows:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by limiting the districts entitled to supplemental payments by the Comonwealth on account of pupils in joint schools or in union or merged districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2502 of the act aproved the tenth day of March one thousand nine hundred forty-nine (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (P L 1783) is hereby further amended to read as follows

Section 2502 Payments on Account of Instruction (a) Every school district and every vocational school district shall be paid by the Commonwealth on account of the instruction of all pupils in average daily membership in the district's public schools joint elementary schools and joint high schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public school joint elementary schools and joint high schools by the district's standard reimbursement fraction and for the school year 1950-1951 by three thousand eight hundred fifty dollars ($3850) for the school year 1951-1952 by four thousand dollars ($4000) for the school year 1952-1953 by four thousand three hundred dollars ($4300) for the school year 1953-1954 by four thousand five hundred dollars ($4500) for the school year 1954-1955 by four thousand seven hundred dollars ($4700) for the school year 1955-1956 by four thousand nine hundred dollars ($4900) for the school year 1956-1957 by five thousand one hundred dollars ($5100) for the school year 1957-1958 by five thousand three hundred dollars ($5300) for the school year 1958-1959 and for each school year thereafter by five thousand five hundred dollars ($5500) Provided That the amount of payment to be made by the Commonwealth to any school district during the school year 1951-1952 and 1952-1953 for the school years 1950-1951 and 1951-1952 on account of the instruction of pupils under the provisions of this section shall not be less than the amount paid to the district during the school year 1949-1950 on acount of the instruction of pupils Provided further That if the number of teaching units in any school district for the school year 1950-1951 or 1951-1952 is less than the number of teaching units for the school year 1948-1949 the payment by the Comonwealth shall be reduced proportionately

(b) In addition to the payments hereinbefore specified the following supplemental payments shall be made to districts of the third and fourth class and to such other districts as have been approved by the Department of Public Instruction prior to the effective date of thisamendment that are the district of residence on account of pupils enrolled in elementary schools or high schools operated by joint boards of which the district of residence is a member and pupils enrolled in schools operated by union or merged districts

(1) In the case of joint elementary schools five hundred dollars ($500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence

(2) In the case of joint high schools five hundred dollars ($500) per teaching unit multipled by the standard reimbursement fraction of the district of residence

(3) In the case of elementary schools operated by union or merged districts eight hundred dollars ($800) per teaching unit multiplied by the district's standard reimbursement fraction

(4) In the case of high schols operated by union or merged districts eight hundred dollars ($800) per teaching unit multiplied by the district's standard reimbursement fraction

In all cases the supplemental payments specified in the foregoing shall be made only for organizations approved by the Department of Public Instruction

The foregoing supplemental payments shall also be made to districts of the second class when the joint organization meets the standards and regulations prescribed by the state council of education.

(c) Notwithstanding the foregoing provisions of this section when because of sparsity of population road or climatic conditions or lack of other available high school facilities the State Council of Education has approved the continued operation of a small high school the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the State Council of Education as being required to provide a satisfactory educational program in such school provided that the number of teachers employed is not less than the number approved

For no year shall any school district or vocational school district receive less than the minimum subsidy per teaching unit

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were, as follows:

YEAS—200

Adam,	Glick,	Markley,	Schmidt,
Alexander,	Goodling,	Mathews,	Schuster,
Amarando,	Gramlich,	Maxwell,	Schwartz,
Andrews,	Greenwood,	McCann,	Scott,
Ashton,	Guss,	McCormack,	Seyler,
Banker,	Gutendorf,	McCullough,	Shoemaker,
Barkdoll,	Guthrie,	McDermit,	Shotwell,
Baumunk,	Hall,	McGee,	Smith, W. B.,
Bazin,	Hamilton, R. K.,	McInroy,	Snider,
Bear,	Hamilton, W. H.,	McWherter,	Spencer,
Blair,	Harris,	Metz,	Stank,
Boles,	Haudenshield,	Mihm,	Stevenson,
Bolton,	Helm,	Mikula,	Stimmel,
Boory,	Hersch,	Miller,	Stone,
Bower,	Hewitt,	Mills,	Stoner,
Breisch,	Hocker,	Monroe,	Strausser,
Breth,	Hoggard,	Moody,	Sucher,
Brown,	Ide,	Moore,	Taylor,
Bucchin,	Jenkins,	Moran,	Thomas,
Buchanan,	Jim,	Moscrip,	Toll,
Bullen,	Johnson,	Muldowney,	Tompkins,
Capano,	Jones, Geo. E.,	Munley,	Toomey,
Cianfrani,	Jones, Gran'le E.	Murray, J. J.,	VanSant,
Cioffi,	Jones, Paul F.,	Musto,	Varallo,
Clapper,	Jones, T. H. W.,	Naugle,	Varner,
Cochran,	Jump,	Needham,	Vaughan,
Comer,	Kamyk,	Ogilvie,	Verona,
Connelly,	Keller,	Olsen,	Wall,
Conner,	Kent,	Parlante,	Wallace,
Coyle,	Kerlin,	Peifly,	Wargo,
Curwood,	Kline,	Peta,	Waterhouse,
Davis,	Kohl,	Petrosky,	Weidner,
Dougherty,	Kolankiewicz,	Pettigrew,	Welsh,
Down,	Kornick,	Pfaff,	Wescott,
Downey,	Kratz,	Phillips,	Whalley,
DuBois,	Kromer,	Polaski,	Wheeler,
Dunn,	Kubacki,	Polen,	White,
Erb,	Lafore,	Poltenstein,	Whitenight,
Ewing,	Lederer,	Price,	Willaredt,
Farabaugh,	Leisey,	Quisenberry,	Williams,
Fenrich,	Leonard,	Ragot,	Wilt,
Ferster,	Leven,	Readinger,	Wood,
Filo,	Light,	Reagan,	Worley,
Flack,	Limper,	Reidenbach,	Yetzer,
Fleischman,	Lippincott,	Richter,	Yeakel,
Floyd,	Lopresti,	Rosen,	Young,
Flynn,	Lovett,	Rovansek,	Zeitz,
Frost,	Lutty,	Royer,	Ziegler,
Geer,	Maguire,	Rubin,	Smith, C. C.,
Gibson,	Mahan,	Sarraf,	Speaker
Gleason,			

NAYS—2

Auker,	Walsh

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

Senate Bill No. 43, Printer's No. 115

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 171, as follows:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Supreme Court of Pennsylvania is hereby authorized and empowered to prescribe by general rule the practice and procedure governing appeals in all instances where appeals are authorized by law from any adjudication to the Supreme or Superior Courts of Pennsylvania Such rules shall be consistent with the Constitution of this Commonwealth and shall neither abridge enlarge nor modify the substantive rights of any litigant nor the jurisdiction of any court or any agency of this Commonwealth nor affect any statute of limitations

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were, as follows:

YEAS—202

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,

Boles,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Toll,
Bucchin,	Jenkins,	Moscrip,	Tompkins,
Buchanan,	Jim,	Muldowney,	Toomey,
Bullen,	Johnson,	Munley,	VanSant,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Curwood,	Kline,	Petrosky,	Weidner,
Davis,	Kohl,	Pettigrew,	Welsh,
Dougherty,	Kolankiewicz,	Pfaff,	Wescott,
Down,	Kornick,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Farabaugh,	Leisey,	Ragot,	Wilt,
Fenrich,	Leonard,	Readinger,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Filo,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Floyd,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lovett,	Royer,	Ziegler,
Frost,	Lutty,	Rubin,	Smith, O. C.,
Geer,	Maguire,	Sarraf,	Speaker
Gibson	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 203, as follows:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1410) is hereby amended to read as follows

Section 9 Stocks

(a) Preferred and Common Stock Preferred and common stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(1) purchased in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year and

(4) in the case of any stock other than stock of a bank or insurance company or of an investment company (as hereinafter defined) the stock is listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made which at that time would cause the market value of the investments in common stocks to exceed one-third of the market value of the estate not including in such market value the value of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth are exceeded In determining the market value of an estate a fiduciary may rely upon published market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituents corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

"Investment Company" as used in this section shall mean a corporation (as defined in this Section) which is registered as an investment company under the Federal Investment Company Act of 1940 as from time to time amended and which has no preferred stock bonds loans or any other outstanding securities having preference or priority as to assets or earnings over its common stock and which shall have net assets of not less than Ten million dollars ($10,000,000) at the date of purchase

"Common Stock" as used in this section shall include the stock certificates certificates of beneficial interests or trust participation certificates issued by any corporation or unincorporated association included under the definition of "corporation" in the preceding paragraph

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Mathews,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	McWherter,	Stank,
Bear,	Hamilton, W. H.,	Metz,	Stevenson,
Blair,	Harris,	Mihm,	Stimmel,
Boies,	Haudenshield,	Mikula,	Stone,
Bolton,	Helm,	Miller,	Stoner,
Boory,	Hersch,	Mills,	Strausser,
Bower,	Hewitt,	Monroe,	Sucher,
Breisch,	Hocker,	Moody,	Taylor,
Breth,	Hoggard,	Moore,	Thomas,
Brown,	Ide,	Moran,	Toll,
Bucchin,	Jenkins,	Moscrip,	Tompkins,
Buchanan,	Jim,	Muldowney,	Toomey,
Bullen,	Johnson,	Munley,	VanSant,
Capano,	Jones, Geo. E.,	Murray, J. J.,	Varallo,
Cianfrani,	Jones, Granle E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Coyle,	Kerlin,	Peta,	Waterhouse,
Curwood,	Kline,	Petrosky,	Weidner,
Davis,	Kohl,	Pettigrew,	Welsh,
Dougherty,	Kolankiewicz,	Pfaff,	Wescott,
Down,	Kornick,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	White,
Dunn,	Kubacki,	Poltenstein,	Whitenight,
Erb,	Lafore,	Price,	Willaredt,
Ewing,	Lederer,	Quisenberry,	Williams,
Farabaugh,	Leisey,	Ragot,	Wilt,
Fenrich,	Leonard,	Readinger,	Wood,
Ferster,	Leven,	Reagan,	Worley,
Filo,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Floyd,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lovett,	Royer,	Ziegler,
Frost,	Lutty,	Rubin,	Smith, C. C., Speaker
Geer,	Maguire,	Sarraf,	
Gibson,	Mahan,	Schmidt.	

NAYS—0

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 416, Printer's No. 135, and

Senate Bill No. 435, Printer's No. 210,

were passed over at the request of the SPEAKER.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 27, 1953.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 8, 1953 at 12 o'clock noon, E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, June 8, 1953 at three-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 26, 1953.

Resolved (if the Senate concur), That House Bill No. 953, Printer's No. 152, entitled "An act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards," be recalled from the Governor for the purpose of amendment and further study

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 26, 1953.

Resolved (if the Senate concur), That House Bill No. 1007, Printer's No. 139, entitled "An act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled 'An act providing for payment of costs in criminal cases by the proper county' by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 670.

An Act to prohibit operation of boats having a developed horsepower rating in excess of ten on Canadohta Lake in Crawford County

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the word "of" the following: "motor boats of more than ten horsepower" and inserting in lieu thereof the following: "boats having a developed horsepower rating in excess of ten."

Amend Section 1, page 1, line 1, by striking out after the number "1" the following: "no motor boat of more than ten horsepower O B C rating" and inserting in lieu thereof the following: "no boat equipped with a motor having a developed horsepower rating in excess of ten"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adam,	Glick,	Mathews,	Schuster,
Alexander,	Goodling,	Maxwell,	Schwartz,
Amarando,	Gramlich,	McCann,	Scott,
Andrews,	Greenwood,	McCormack,	Seyler,
Ashton,	Guss,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Hall,	McInroy,	Snider,
Baumunk,	Hamilton, R. K.,	McWherter,	Spencer,
Bazin,	Hamilton, W. H.,	Metz,	Stank,
Bear,	Harris,	Mihm,	Stevenson,
Blair,	Haudenshield,	Mikula,	Stimmel,
Boles,	Helm,	Miller,	Stone,
Bolton,	Hersch,	Mills,	Stoner,
Boory,	Hewitt,	Monroe,	Strausser,
Bower,	Hocker,	Moody,	Sucher,
Breisch,	Hoggard,	Moore,	Taylor,
Breth,	Ide,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Toll,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toomey,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Capano,	Jones, Gran'le E.,	Musto,	Varallo,
Cianfrani,	Jones, Paul F.,	Naugle,	Varner,
Cioffi,	Jones, T. H. W.,	Needham,	Vaughan,
Clapper,	Jump,	Ogilvie,	Verona,
Cochran,	Kamyk,	Olsen,	Wall,
Comer,	Keller,	Parlante,	Wallace,
Connelly,	Kent,	Peifly,	Walsh,
Conner,	Kerlin,	Peta,	Wargo,
Coyle,	Kline,	Petrosky,	Waterhouse,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Ewing,	Lederer,	Quisenberry,	Willaredt,
Farabaugh,	Leisey,	Ragot,	Williams,
Fenrich,	Leonard,	Readinger,	Wilt,
Ferster,	Leven,	Reagan,	Wood,
Filo,	Light,	Reidenbach,	Worley,
Flack,	Limper,	Richter,	Yeakel,
Fleischman,	Lippincott,	Rosen,	Yetzer,
Floyd,	Lopresti,	Rovansek,	Young,
Flynn,	Lovett,	Royer,	Zeitz,
Frost,	Lutty,	Rubin,	Ziegler,
Geer,	Maguire,	Sarraf,	Smith, C. C.,
Gibson	Mahan,	Schmidt,	Speaker
Gleason,	Markley,		

NAYS—1

Erb,

NOT VOTING—5

Bomberger,	Murray, P. G.,	Thompson,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 352.

An Act to further amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" by further regulating the confinement of juveniles under eighteen years of age

HOUSE BILL No. 354.

An Act to further amend the act approved the seventeenth day of April, one thousand eight hundred seventy-six (P. L. 29), entitled "An act relating to appeals in cases of summary convictions," by extending the time within which appeals may be taken.

HOUSE BILL No. 462.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

HOUSE BILL No. 796.

An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties

HOUSE BILL No. 954.

An Act to further amend sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms

HOUSE BILL No. 1077.

An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved

HOUSE BILL No. 1078.

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage

such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties

HOUSE BILL No. 1212.

An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 96, 470 and 525.

PERMISSION TO ADDRESS HOUSE

Mr. JIM asked and obtained unanimous consent to address the House.

Mr. Speaker, I have prepared a statement of my views and other information on House Bill 886.

I would appreciate it if the Chairman and Committee members of Military Affairs would read my statement which will be printed in the House Legislative Journal.

On March 30, 1953 I introduced House Bill No. 886, Printer's No. 886 which was referred to Committee on Military Affairs March 31, 1953.

The Honorable Richard D. Laird. President Judge of Common Pleas Court of Westmoreland County, Greensburg, Pennsylvania who was a First Lieutenant of the 10th Infantry, U. S. Volunteers, April 27, 1898 to August 22, 1899, wounded in action July 31, 1898 in the battle Malate, P. I., is very much interested in the passage of this proposed legislation.

On May 22, 1953 James D. Herald the Editorial Page Director of the Tribune Review Publishing Company, 122 N. Main Street, Greensburg, Pennsylvania published the following:

INTERESTED IN VETS' BILL

Quite a number of Spanish-American War and other veterans in this county, including 76-year-old Dan A. Dooley, of Ligonier, are very much interested in House Bill No. 886 which was introduced in the Legislature by Rep. Charles J. Jim, of Latrobe.

This bill embodies resolutions passed at the 1949 State Affairs, and they would like very much to get it out on the floor of the House for favorable action.

This bill embodies resolutions passed at the 1949 State Encampments of the United Spanish War Veterans, the Veterans of Foreign Wars, the Amvets, the American Legion, and by the surviving members of the 10th Pennsylvania Volunteer Infantry Regiment attending the 50th annual reunion at Monongahela in August 1949.

It calls for amending the law pertaining to veterans to provide for:

1. Opening an office in Harrisburg under the supervision of the State Registrar of Veterans' Graves, where the permanent burial record of every service person buried in the state shall be on file and available at all times.

2. Compelling all undertakers to file the burial records of any service person buried in the state with the county commissioners of the county in which the person is buried, at the time of burial.

3. Prohibiting the removal of a competent director of veterans' affairs without a just and sufficient reason.

The same recommendations were submitted to the 1951 session of the General Assembly, and many veterans were disappointed when all the General Assembly did was to reshuffle the entire veteran setup by placing everything pertaining to veterans under a new head, that of Deputy Adjutant General in Charge of Veterans Affairs.

There has been some whispering around Harrisburg that Ligonier's Dan Dooley is so keenly interested in the bill, because he "is trying to work himself into a job." Mr. Dooley says that talk is not fair. To refute it he points to his advanced age, and declares he is absolutely not available for any new assignments. Since May 1946, Dooley has been on the voluntary non-pay assignment of compiling, checking, and rechecking the records of his old outfit, the "Fighting Tenth." And he has done some very fine work on this task, which is greatly appreciated by veterans who are familiar with what he has been doing and what he has accomplished.

Mr. Speaker and Members of the House, for the privilege of my statement on House Bill No. 886 my hearty thanks.

COMMITTEE MEETINGS

The SPEAKER. For the information of the Minority Leader, Mr. Andrews, who requested information the other day as to which Committees had not met, the Chair would inform the gentleman that the Committee on Railroads and Railways, and the Committee on Public Utilities have not met for the purpose of considering bills.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, a further parlimentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Will it be necessary to endeavor to initiate some action upon the part of the House in order to make certain that the two Committeee that have not met to consider organization will meet?

The SPEAKER. The Chair would inform the gentleman that he has just recently been informed that the Committee on Railroads and Railways will meet this week.

The Chair does not feel at this time that it will be necessary to take any action in regard to the Committee on Public Utilities because the Chair has also been given information that that Committee will meet in the very near future.

Mr. ANDREWS. I thank the Speaker.

AVAILABLE COPIES OF HOUSE BILL No. 1140

Mr. ANDREWS. Mr. Speaker, I understand that there are no printed copies available of House Bill No. 1140, which is the reapportionment bill recently reported from Committee. That is a bill in which there is a great deal of interest.

The SPEAKER. The Chair has been informed that what the gentleman says is the fact.

Mr. ANDREWS. Mr. Speaker, you will readily see that every county leader in every county is interested in this reapportionment bill. I would therefore suggest that steps be taken to secure an additional supply at the earliest possible date.

The SPEAKER. Following the Minority Leader's suggestion it might be wise for the Majority Leader to be recognized at this time for the purpose of making a

motion that additional copies be printed for the benefit of the Members.

The Chair recognizes the Majority Leader.

Mr. JOHNSON. Mr. Speaker, I move that the Chief Clerk be instructed to have printed in white an additional thousand copies of House Bill No. 1140.

The motion was agreed to.

Mr. FILO. Mr. Speaker, I suggest to the Majority Leader that copies of the bill, as soon as they are printed, be sent home to every Member of the House. We would appreciate that very much.

The SPEAKER. The Chair would suggest that the Chief Clerk place the bills in the Members' mail boxes.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOLL asked and obtained nuanimous consent to add additional sponsors to a bill to be introduced by him.

COMMITTEE MEETING

GAME AND FORESTRY. Mr. Goodling, Chairman, Room 331, Thursday, May 28, at 9:30 a. m. DST.

ADJOURNMENT

Mr. ALEXANDER. Mr. Speaker, I move that this House do now adjourn until Thursday, May 28, 1953 at 9:00 a. m. EST.

The motion was agreed to, and (at 4:58 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., THURSDAY, MAY 28, 1953. No. 46.

SENATE

THURSDAY, May 28, 1953.

The Senate met at 12:01 o'clock a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

In the absence of the Chaplain, the gentleman from Berks, Mr. RUTH, offered the following prayer:

Our Father, Who art in Heaven, hallowed be Thy Name; Thy Kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our debts as we have forgiven our debtors. Lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory forever, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. CROWE, because of important pressing business.

GROUP FROM POLITICAL SCIENCE DEPARTMENT UNIVERSITY OF PITTSBURGH, PRESENTED TO SENATE

The PRESIDENT. The Chair takes pleasure in noting the presence of a group from the Political Science Department, of the University of Pittsburgh, together with the instructor, Doctor Branning, sitting in the right rear of the Senate Chambers.

Will they please rise in place and take a bow?

The group are the guests of Senator Holland.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF DELAWARE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Christie (Republican), 901 Glenbrook Avenue, Bryn Mawr, Delaware County, for appointment as a member of the Delaware County Board of Assistance, to serve until December 31, 1953, and until her successor is duly appointed and qualified. vice John H. Foster, Wayne, resigned.

JOHN S. FINE.

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Mechanicsville, Bucks County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

PROTHONOTARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mr. William F. Liljenberg, 1305 Filmore Avenue, Erie, Erie County, for appointing as Prothonotary of the Court of Common Pleas in and for the County of Erie, until the first Monday of January, 1954, vice Lawrence A. Taylor, deceased.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by

His Excellency, the Governor of the Commonwealth, on May 27, 1953.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Bernice Weisenberg, Pittsburgh, 3415 Forbes St.

CAMBRIA COUNTY

Matthew D. D'Aversa, Johnstown.

DAUPHIN COUNTY

Mrs. Naomi B. Carter, Harrisburg.

DELAWARE COUNTY

A. M. Lackey, Eddystone.

FRANKLIN COUNTY

Tom K. Fox, Greencastle.

JEFFERSON COUNTY

Mrs. Neva D. Chesnutt, Brookville.

LUZERNE COUNTY

Miss Margaret C. Kelly, Wilkes-Barre.

PHILADELPHIA COUNTY

William Chernow, 2003 Glenview Street (24).

SNYER COUNTY

Miss S. Nerine Benfer, Spring Twp., Beaver Springs.

YORK COUNTY

H. J. Shenck, West Manchester Twp., York.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCreesh,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McCusker,	Wade,
Blass,	Kephart,	McMenamin,	Wagner,
Camiel,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Snowden,	Yosko,
Haluska,	Mallery,	Stevenson,	

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATIONS FROM GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth:

ADDRESS OF GOVERNOR JOHN S. FINE

The Chair cleared his table and announced receipt of "Address of Governor John S. Fine To A Joint Session of the General Assembly, In the House of Representatives, Wednesday, May 27, 1953," copies of which have been placed on the desks of the Senators.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 670

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake, in Crawford County.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 27, 1953.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, June 8, 1953, at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, June 8, 1953, at twelve o'clock m., E. S. T.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 91, entitled:

An Act to amend subsection (b) of Section 1 and Section 2 and 4 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by further defining employer providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages

Which was committed to the Committee on Labor and Industry.

House Bill No. 626, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways

peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the length of tractors and combinations of vehicles further limiting where information charging violations of summary provisions of said act may be brought

Which was committed to the Committee on Highways.

House Bill No. 664, entitled:

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

Which was committed to the Committee on Labor and Industry.

House Bill No. 902, entitled:

An Act to further amend Section 2502 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" the districts entitled to by limiting supplemental payments by the Commonwealth on account of pupils in joint schools or in union or merged districts

Which was committed to the Committee on Education.

House Bill No. 1181, entitled:

An Act to further amend Section 611 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103 entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the secretary of a county association of township supervisors to be elected as a delegate to the State Association Meeting

Which was committed to the Committee on Local Government.

House Bill No. 1187, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making unlawful fraudulent practices in connection with documents of title bulk sales and security interests

Which was committed to the Committee on Judiciary General.

House Bill No. 1271, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the compensation of auditors

Which was committed to the Committee on Local Government.

House Bill No. 1299, entitled:

An Act to authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys the use benefit enjoyment or control of which would not be available to certain non-resident beneficiaries entitled thereto and providing remedies to such beneficiaries under certain conditions

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL No. 171

He also returned to the Senate, Senate Bill No. 171, entitled:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 203

He also returned to the Senate, Senate Bill No. 203, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies.

with the information that the House has passed the same without amendments.

REPORTS FROM COMMITTEES

Mr. WAGNER, from the Committee on Education, reported as committed House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in contitutional law and government in public private and parochial schools.

He also, from the Committee on Education, reported as committed Senate Bill No. 544, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

He also, from the Committee on Education, reported as amended Senate Bill No. 554, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

BILL INTRODUCED AND REFERRED

Messrs. BERGER and WADE read in place and presented to the Chair Senate Bill No. 650, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the investment of certain funds in the treasury of Pennsylvania; creating the Investment Council as a departmental administrative board within the Terasury Department; defining its powers and duties; and repealing a certain act.

Which was committed to the Committee on State Government.

PARLIAMENTARY INQUIRY

Mr. FREED. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Lehigh, Mr. Freed, will state his question of parliamentary inquiry.

Mr. FREED. Mr. President, am I correct in assuming that the next Order of Business is consideration of the Calendar?

The PRESIDENT. That is correct.

Mr. FREED. Mr. President, I request that any bill which is voted on, that the Senators be in their seats when they are voting.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, as long as the gentlemen of the Senate are within the railing, they do not have to be in their seats to vote.

The PRESIDENT. The point of order is well taken.

Mr. WALKER. Mr. President, may I thank the gentleman from Lehigh, Senator Freed, for the ride back?

The PRESIDENT. Did the Chair understand the gentleman from Allegheny, Mr. Walker, to say that he is leaving and will be right back?

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 35, Printer's No. 253,
House Bill No. 156, Printer's No. 74,
Senate Bill No. 236, Printer's No. 223,
Senate Bill No. 273, Printer's No. 259,
Senate Bill No. 277, Printer's No. 260,
Senate Bill No. 496, Printer's No. 268,
Senate Bill No. 497, Printer's No. 238, and
Senate Bill No. 531, Printer's No. 271.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 815, as follows:

An Act to reenact the title and reenact and furthe amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" by changing the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all sections of the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" are hereby reenacted and further amended to read as follows

An Act

To provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

Section 1 Short Title This act shall be known and may be cited as "The Realty Transfer Tax Act"

Section 2 The following words when used in this act

shall have meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency including but not limited to banking institutions

"Department" The Department of Revenue of this Commonwealth

"Document" Any deed instrument or writing whereby any lands tenements or hereditaments within this Commonwealth or any interest therein shall be granted bargained sold or otherwise conveyed to the grantee purchaser or any other person but does not include wills mortgages transfers between husband and wife transfer between parent and child or the spouse of such child and leases

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Value" In the case of any document granting bargaining selling or otherwise conveying any land tenament or hereditament or interest therein the amount of the actual consideration therefor including liens or other encumbrances thereon and ground rents or a commensuate part of the liens or other encumbrances thereon and ground rents where such liens or other encumbrances and ground rents also encumber or are charged against other lands tenements or hereditaments Provided That where such documents shall set forth a small or nominal consideration the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale or in the case of a gift from the actual monetary worth of the property granted bargained sold or otherwise conveyed which in either event shall not be less than the amount of the highest assessment of such lands tenements or hereditaments for local tax purposes

Section 3 Every person who makes executes issues delivers or accepts any documents or in whose behalf any document is made executed issued delivered or accepted shall be subject to pay for and in respect thereof or for or in respect of the vellum parchment or paper upon which such documents is written or printed a State tax at the rate of one (1) percentum of the value of the property represented by such document which State tax shall be payable at the time of making execution issuance delivery or acceptance of such document

Section 4 The payment of the tax imposed by this act shall be evidenced by the fixing of a documentary stamp or stamps to every document by the person making executing issuing or delivering such document Such stamps shall be affixed in such manner that their removal will require the continued application of steam or water and the person using or affixing such stamps shall write or stamp or cause to be written or stamped thereon the initials of his name and the date upon which such stamps are affixed or used so that such stamps may not again be used Provided That the department may prescribe such other method of cancellation as it may deem expedient

Section 5 The department shall prescribe prepare and furnish adhesive stamps of such demoninations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places as it may deem necessary

The department may appoint recorders of deeds or other persons within or without the Commonwealth as agents in accordance with the provisions of The Fiscal Code the act of April 9, 1929 P. L. 343 as amended for the sale of stamps to be used in paying the tax herein imposed upon documents and may allow a commission to said agents of [one-half of] one percent of the face value of the stamps The Department shall pay the premium or premiums on any bond or bonds required by law to be procured by any agent for the performance of his duties under this act

All moneys paid into the State Treasury during the effective period of this act shall be credited to the General Fund

Section 6 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and means to be used in affixing or cancelling of stamps in substitution of or in addition to the method and means provided in this act

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 7 No document upon which tax is imposed by this act shall be made the basis of any action or other legal proceeding nor shall proof thereof be offered or received in evidence in any court of this Commonwealth or recorded in the office of any recorder of deeds of any county of this Commonwealth unless a documentary stamp or stamps as provided in this act have been affixed thereto

Section 8 Every document [upon which tax is imposed by this act] when lodged with or presented to any recorder of deeds in this Commonwealth for recording shall set forth therein and as a part of such document the true full and complete value thereof or shall be accompanied by an affidavit executed by a responsible person connected with the transaction showing such connection and setting forth the true full and complete value thereof or the reason if any why such document is not subject to tax under this act

Any such recorder of deeds who shall record any document upon which tax is imposed by this act without the proper documentary stamp or stamps affixed thereto as required by this act as is indicated in such document or accompanying affidavit shall upon summary conviction before any magistrate alderman or justice of the peace or other officer having the powers of a committing magistrate be sentenced to pay a fine of fifty dollars ($50.00) and costs of prosecution and in default of payment thereof undergo imprisonment for not more than thirty (30) days Provided That when any document shall have been recorded it shall be presumed that all requirements of law affecting the title to any real property conveyed thereby have been complied with

Section 9 (a) It shall be unlawful for any person to

1 Make execute issue deliver or accept or cause to be made executed issued delivered or accepted any documnt without the full amount of tax thereon being duly paid or

2 Make use of any documentary stamp to denote payment of any tax imposed by this act without cancelling such stamp as required by this act or as prescribed by the department or

3 Fail neglect or refuse to comply with or violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act

Any person violating any of the provisions of this subsection (a) shall be guilty of a misdmeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) and costs of prosecution or to undergo imprisonment of not more than ninety (90) days or both in the discretion of the court (b) It shall be unlawful for any person to

1 Fraudulently cut tear or remove from a document any documentary stamp or

2 Fradulently affix to any document upon which tax is imposed by this act any documentary stamp which has been cut torn or removed from any other document upon which tax is imposed by this act or any documentary

stamp of insufficient value or any forged or counterfeited stamp or any impression of any forged or counterfeited stamp die plate or other article or

3 Wilfully remove or alter the cancellation marks of any documentary stamp or restore any such documentary stamp with intent to use or cause the same to be used after it has already been used or knowingly buy sell offer for sale or give away any such altered or restored stamp to any person for use or knowingly use the same or

4 Knowingly have in his possession any altered or restored documentary stamp which has been removed from any document upon which tax is imposed by this act Provided That the possession of such stamps shall be prima facie evidence of an intent to violate the provisions of this clause or

5 Knowingly or wilfully prepare keep sell offer for sale or have in his possession any forged or counterfeited documentary stamp

Any person violating any of the provisions of this subsection (b) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than five (5) years or both in the discretion of the court

Section 10 Notwithstanding anything contained in any law to the contrary the validity of any ordinance or part of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by any political subdivision providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act

Section 11 This act shall become effective the first day of February one thousand nine hundred fifty-two and shall remain in force until and including the thirty-first day of May [one thousand nine hundred fifty-three] one thousand nine hundred fifty-five

Section 12 This reenacting and amending act shall become effective the first day of June one thousand nine hundred fifty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. FREED. Mr. President, in the first place, if I may address the Chair—

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Crawford, Mr. MAHANY, will state his point of order.

Mr. MAHANY. Mr. President, for what purpose is the gentleman from Lehigh, Senator Freed, rising? There is nothing before the Senate except the announcement of the roll call, as I understand it.

Mr. FREED. Mr. President, that is what I am after.

Mr. President, the last name I heard called, I know definitely that Senator is not in his seat.

Mr. MAHANY. Mr. President, the gentleman from Lehigh, Senator Freed, is out of order at this time. The roll has been called and there has been no announcement of it as yet, and I believe that is the next order of business.

The PRESIDENT. The Chair rules that the point of order is well taken.

Mr. FREED. In other words, Mr. President, when the names are called and the name called is absent—

Mr. MAHANY. Mr. President, the Chair has already ruled that the gentleman is out of order.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Bane,	Holland,	McCusker,	Toole,
Barr,	Kephart,	McGinnis,	Wade,
Berger,	Kessler,	McPherson, Jr.	Wagner,
Blass,	Kopriver, Jr.	Miller,	Walker,
Chapman,	Lane,	Pechan,	Watkins,
Dent,	Letzler,	Peelor,	Watson,
Diehm,	Madigan,	Ruth,	Weiner,
DiSilvestro,	Mahany,	Snowden,	Wolfe,
Haluska,	Mallery,	Stevenson,	Wood,
Hare,	McCreesh,	Taylor,	Yosko,
Harney,			

NAYS—5

Camiel,	Freed,	Leader,	McMenamin,
Fleming,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PARLIAMENTARY INQUIRY

Mr. FREED. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Lehigh, Mr. Freed, will state his question of parliamentary inquiry.

Mr. FREED. Mr. President, do we have more than thirty-five Members within the rail of the Senate?

The PRESIDENT. In answer to the question raised by the gentleman from Lehigh, the vote on final passage of the bill, as previously announced, is "yeas" 41, "nays" 5.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, I do not wish to be delinquent. I have been here since the beginning of the Session. However, I have not yet registered in with the Senator from Lehigh, Senator Freed. I want to report to him that I am present.

The PRESIDENT. Does the gentleman from Lehigh, Mr. Freed, wish to take judicial notice of the presence of the gentleman from Lackawanna, Mr. McMenamin?

Mr. FREED. Mr. President, all I am after is that I asked in the very beginning that those who are here should be recorded. Then we turned around and the roll was called up to the last name. Then I was refused the answer at that time, and told that I was out of order. Now, when you make the grand total, I am trying to find out who is out of order now. There are just a few Members on the floor.

The PRESIDENT. All the Chair can say to the gentleman from Lehigh, Senator Freed, is that if he really desired to determine whether or not there were a certain number of Senators here, he did not use the right procedure. The Chair was compelled to rule as he did upon the questions which were raised by the gentleman from Lehigh.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1100, as follows:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such contracts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and terms as used in this act shall be construed as follows

"Garbage" shall mean putrescible animal and vegetable waste resulting from the handling preparation cooking and consumption of foods including animal carcasses and parts thereof

"Person" shall mean the Commonwealth or any of its political subdivisions charitable eleemosynary and religious institutions of any nature whatever individuals partnerships corporations and associations

"Department" shall mean the Department of Agriculture of the Commonwealth of Pennsylvania its agents employes attorneys and representatives

"Place of business" shall mean any place where garbage is fed or to be fed to animals

"Premise" shall mean and include all buildings or structures used for the preparation storage feeding or handling of garbage and the ground upon which such building or structure is erected and so much ground adjacent thereto as is used in carrying on the business of such establishment including drains gutters and cesspools used in connection with the establishment

Section 2 (A) Any person firm or corporation who shall receive from any other person political subdivision institution public or private corporation garbage intended for animal feeding purposes within the Commonwealth or any operator of a public dining room or institution public or private who shall feed garbage to animals shall be deemed to be engaged in the business of feeding garbage and must be an operator or employe of a duly licensed garbage feeding plant approved by the Department of Agriculture

(B) Notwithstanding any other provision of law it shall be lawful for any person political subdivision institution or public or private corporation to reinegotiate or alter or change any contract or any part of any contract with any person firm or corporation deemed to be engaged in the business of feeding garbage for the purpose of providing a just and equitable return on the added expense or investment to the person firm or corporation deemed to be engaged in the business of feeding garbage necessitated in fulfilling such contract due to the provisions of this act

Section 3 It shall be unlawful for any person or any agent servant or employe thereof to transport any garbage into Pennsylvania from outside the Commonwealth unless it is consigned and is to be delivered directly to a licensed garbage feeding plant approved by the Department of Agriculture

Section 4 It shall be unlawful for any person to start or operate a garbage feeding business or plant as defined in section two of this act after the first day of July one thousond nine hundred fifty-three unless he has applied to the department for a license to do so has secured said license and has it properly posted at his place of business before the first day of July one thousand nine hundred fifty-three and annually thereafter before the first day of July of each succeeding year and pay to the department at the time said application for registration and license is filed an animal fee of twenty-five dollars ($25) for each place of business operated Provided however That neither the Commonwealth nor any political subdivision nor any charitable eleemosynary or religious institution shall be required to pay the license fee herein required Any license issued under this act shall not be transferrable and shall apply only to the specific location for the place of business specified in the license Any licensee operating more than one such place of business shall be required to obtain a separate license for each such place

Section 5 Applications for such license shall be made to the department on a form provided by it which application shall set forth the name and address of the applicant his exact location of the place of business and such other information as the department may require

Section 6 Upon receipt of such application the department through its duly authorized agent shall inspect the premises designated as the place of business and upon approval of the buildings equipment sanitary conditions and such other requirements as the department may deem necessary the department shall issue to each applicant a license which shall expire the thirtieth day of June of each year Such license shall be posted in a conspicuous place in or at the place of business and exposed for inspection by any authorized person

Section 7 If an agent of the department finds that such place of business cannot be approved for license upon inspection he shall notify the applicant wherein the same fails to comply If within a reasonable time thereafter to be fixed by the department the specified defects are remedied the department shall make a second inspection and proceed therewith as in the case of the original inspection

Section 8 It shall be unlawful to hinder impede or prevent any duly authorized agent or employe of the department from entering any garbage feeding place of business at any time or any part of any building used in conjunction therewith for the purpose of making inspection of the premises and the methods of operation

Section 9 All garbage feeding premises shall be constructed and managed as follows

(a) Feeding shall be done on water-tight floors properly drained and constructed so as to be maintained in a sanitary condition The same shall apply to places where feeds are mixed and prepared

(b) All buildings connected with such places shall be of sanitary construction and maintained in good repair

(c) Manure and other refuse cans bottles and rubbish shall not be allowed to accumulate in such buildings nor upon the premises and shall be disposed of regularly so as not to cause insanitary conditions or create an unsightly condition on the premises or property adjacent thereto

(d) An adequate supply of water for cleaning purposes and acceptable toilets shall be provided at all times

Section 10 All garbage regardless of previous processing shall before being fed to swine be thoroughly heated to at least two hundred twelve degrees F for at least thirty minutes unless treated in some other manner which has been approved by the department Each lot batch or unit of garbage in its entirety shall be heated to the required temperature and for the required length of time A true and accurate record of garbage so precessed shall be kept and maintained by the operator for a period of one year

Section 11 To protect the public health and to prevent the spread disease among domestic animals the department may adopt and promulgate such rules and regulations as it may deem necessary in carrying out the provisions of this act

Section 12 It shall be unlawful to slaughter swine for human consumption on any premise used as a garbage feeding plant or in any building located on any such premise Dead animals shall be disposed of in compliance with the provisions of the Dead Animal Law approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 796)

Section 13 All such garbage feeding plants or premises shall be maintained in a reasonable sanitary condition and approved methods to exterminate flies vermin and rodents shall be employed regularly

Section 14 (a) If upon examination it is found that any garbage feeding plant or place of business or any part thereof is operating in violation of any of the provisions of this act or any rule regulation or order made pursuant to this act the agent making such examination shall report the unlawful condition to the department and shall at the same time notify in writing the owner lessee or manager of the place of business

(b) Upon receipt of such report the department shall notify the proper owner lessee agent superintendent or manager of the result of the examination and direct that the unlawful condition be remedied within the time specified in the notice

(c) If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied the department may order the license suspended or revoked and the place of business garbage feeding plant closed

(d) The closure of a place of business garbage feeding plant or revocation of the license shall not preclude prosecution for violation of this act

(e) The Attorney General at the request of the Department of Agriculture may in the name of the Commonwealth institute proceedings in equity for the purpose of enforcing the provisions of this act

Section 15 (a) Any person who shall violate any of the provisions of this act or any rule regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding before an alderman magistrate or justice of the peace of competent jurisdiction be sentenced for each offense to pay a fine of not less than fifty dollars ($50) nor more than three hundred dollars ($300) and costs of prosecution and in default of payment of such fine and costs be sentenced to imprisonment in the county jail for a period not exceeding three months and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) or to undergo imprisonment not exceeding one year or both in the discretion of the court

(b) In any case where such violation is committed by a garbage feeding plant which is owned or operated by the Commonwealth or any political subdivision or any agency thereof the superintendent manager or other officer or employe who is directly responsible for the operation of the institution of which the garbage feeding plant is a part or with which it is connected shall be deemed to be the person guilty of the violation and shall be prosecuted and punished therefor as herein provided

Section 16 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCreesh,	Taylor,
Barr,	Harney,	McGinnis,	Toole,
Berger,	Holland,	McCusker,	Wade,
Blass,	Kephart,	McMenamin,	Wagner,
Camiel,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Snowden,	Yosko,
Haluska,	Mallery,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1334, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of sixty million dollars ($60,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as moneys appropriated by the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-three may become available for such purposes and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payments are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriations made for the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-three

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Hare,	McCreesh,	Taylor,
Barr,	Harney,	McCusker,	Toole,
Berger,	Holland,	McGinnis,	Wade,
Blass,	Kephart,	McMenamin,	Wagner,
Camiel,	Kessler,	McPherson, Jr.	Walker,
Chapman,	Kopriver, Jr.	Miller,	Watkins,
Dent,	Lane,	Pechan,	Watson,
Diehm,	Leader,	Peelor,	Weiner,
DiSilvestro,	Letzler,	Propert,	Wolfe,
Fleming,	Madigan,	Ruth,	Wood,
Freed,	Mahany,	Snowden,	Yosko,
Haluska,	Mallery,	Stevenson,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I move that all bills on the Second Reading Calendar go over in their order.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows:

House Bill No. 38, Printer's No. 199,
House Bill No. 42, Printer's No. 295,
Senate Bill No. 54, Printer's No. 281,
Senate Bill No. 59, Printer's No. 258,
Senate Bill No. 83, Printer's No. 279,
Senate Bill No. 247, Printer's No. 280,
Senate Bill No. 256, Printer's No. 283,
Senate Bill No. 257, Printer's No. 284,
Senate Bill No. 290, Printer's No. 255,
House Bill No. 343, Printer's No. 128,
Senate Bill No. 361, Printer's No. 261,
Senate Bill No. 362, Printer's No. 262,
Senate Bill No. 363, Printer's No. 263,
Senate Bill No. 364, Printer's No. 264,
Senate Bill No. 365, Printer's No. 265,
Senate Bill No. 366, Printer's No. 266,
Senate Bill No. 367, Printer's No. 267,
Senate Bill No. 402, Printer's No. 276,
Senate Bill No. 450, Printer's No. 178,
Senate Bill No. 451, Printer's No. 179,
Senate Bill No. 452, Printer's No. 180,
Senate Bill No. 480, Printer's No. 277,
Senate Bill No. 503, Printer's No. 269,
Senate Bill No. 504, Printer's No. 270,
Senate Bill No. 523, Printer's No. 232,
Senate Bill No. 534, Printer's No. 272,
Senate Bill No. 537, Printer's No. 285,
Senate Bill No. 563, Printer's No. 273,
Senate Bill No. 603, Printer's No. 286,
Senate Bill No. 607, Printer's No. 287,
Senate Bill No. 616, Printer's No. 288,
Senate Bill No. 618, Printer's No. 274,
Senate Bill No. 624, Printer's No. 282,
House Bill No. 779, Printer's No. 343,
House Bill No. 970, Printer's No. 186,
House Bill No. 1101, Printer's No. 225,
House Bill No. 1152, Printer's No. 298, and
House Bill No. 1267, Printer's No. 258.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, one of the problems which has plagued us since January has been taxes. Many people have given a lot of thought in thinking up new taxes. As far as I can see, Mr. President, one of the problems people in politics have is saying "no." We get many requests for a lot of worthy causes for new moneys and new appropriations.

Mr. President, some day in this Country and in Pennslyvania, somewhere, sometime and some place, somebody must start saying "no." I propose here a Constitutional amendment which would place a moratorium for ten years on all new taxes for new purposes. In other words, we have certain commitments to the school teachers today, and certain commitments to the hospitals and so forth. Those should be met. Raising revenue for new purposes, or new appropriations for new purposes, under this proposed amendment to the Constitution would be done away with or a moratorium declared on them for ten years. We have just got to say "no" and perhaps this amendment, if it is approved by the people, will help us here in the Legislature not to appropriate money for new purposes.

Mr. President, I offer at this time the following bill.

BILLS INTRODUCED AND REFERRED

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McMENAMIN read in place and presented to the Chair Senate Bill No. 651, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, by adding thereto a new section.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. PEELOR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PEELOR and PECHAN read in place and presented to the Chair Senate Bill No. 652, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land and building thereon in the Borough of Indiana, Indiana County, Pennsylvania for the use of Indiana State Teachers' College; and making an appropriation.

Which was committed to the Committee on State Government.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 815, entitled:

An Act to reenact the title and reenact and further amend the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (1951-1952 P. L. 1742), entitled "The Realty Transfer Tax Act," by changing the definition of document and value, by increasing the compensation of agents and providing for the payment of premiums on bonds, by making further requirements in connection with affidavit of value, and extending the provisions of the act for a further limited period of time.

House Bill No. 1334, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-three, and such time as the funds provided by the General Appropriation Act and other appropriation acts become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-three.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY read in place and presented to the Chair Senate Bill No. 653, entitled:

An Act to amend Section 1364 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing that joint school boards or committees shall make a continuous study to bring about economical bus transportation for school children.

Which was committed to the Committee on Education.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 292, entitled:

An Act to amend Section 1515 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial school

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, June 8, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:34 o'clock a. m., Eastern Standard Time, until Monday, June 8, 1953, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 28, 1953

The House met at 9:00 a. m. EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, gave ear to the prayers which we humbly present before Thee; grant that they may be acceptable and well-pleasing unto Thee through the grace and power of Thy Holy Spirit. Grant our petitions and accept our resolutions, strengthen our good hopes and fulfill our holy desires; that we may ever draw nigh to the gift of Thy grace with conscience sound and undefiled; through Jesus Christ our Lord. Amen.

APPROVAL OF JOURNAL POSTPONED

The SPEAKER. Are there any corrections to the Journal of Wednesday, May 27, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Wednesday, May 27, 1953, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. DUNN. HOUSE BILL No. 1411.

An Act to further amend Section 922 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising, and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by prohibiting nomination by write-in votes in certain cases.

Referred to the Committee on Elections and apportionment.

By Mr. DUNN. HOUSE BILL No. 1412.

An Act to further amend the act, approved the first day of May, one thousand nine hunderd twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by forbidding solicitors of rides to stand within fifteen feet of traveled portion of highways or streets.

Referred to the Committee on Motor Vehicles.

By Mrs. MUNLEY, Messrs. NEEDHAM and WARGO. HOUSE BILL No. 1413.

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

Referred to the Committee on State Government.

By Mr. GLICK. HOUSE BILL No. 1414.

An Act relating to the power to detain for questioning and the power to arrest persons believed to have committed larceny of goods displayed for sale by a merchant.

Referred to the Committee on Judiciary.

By Messrs. STIMMEL, VanSANT and Mrs. MARKLEY. HOUSE BILL No. 1415.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by providing for permits for movement of certain vehicles in process of being manufactured and prescribing fees.

Referred to the Committee on Motor Vehicles.

By Mr. VAUGHAN. HOUSE BILL No. 1416.

An Act to further amend Section 1 of Article XII of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by conforming the same to existing law; making the city treasurer an elective office.

Referred to the Committee on Cities—Counties—First-Second and Second Class A.

By Mr. TOMPKINS. HOUSE BILL No. 1417.

An Act declaring the policy of the Commonwealth as to the right of all persons to be employed, and prohibiting discrimination by employers.

Referred to the Committee on Labor Relations.

By Mr. AUKER. HOUSE BILL No. 1418.

An Act prohibiting, for a certain length of time, the commencement or undertaking of any activities by the General State Authority not contracted for on the effective date of this act.

Referred to the Committee on State Government.

By Messrs. SCHWARTZ, WILBUR H. HAMILTON, ALEXANDER, RAGOT and CONNER. HOUSE BILL No. 1419.

An Act to amend Section 14 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authoriteis; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by removing the requirement for approval of the Department of Internal Affairs covering obligations of the Authority.

Referred to the Committee on Municipal Corporations.

By Messrs. SCHWARTZ, WILBUR H. HAMILTON, ALEXANDER, RAGOT and CONNER. HOUSE BILL No. 1420.

An Act to amend Section 6 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1633), entitled "An act providing and regulating State assistance for housing, including slum clearance and redevelopment; and making an appropriation," by changing limitation as to tenant admissions in urban redevelopment projects.

Referred to the Committee on Municipal Corporations.

By Messrs. SCHWARTZ, WILBUR H. HAMILTON, CONNELLY, ALEXANDER, RAGOT and CONNER. HOUSE BILL No. 1421.

An Act to amend Section 12 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by providing for the admission of certain evidence before the board of view or the court of common pleas.

Referred to the Committee on Municipal Corporations.

By Mr. GOODLING. HOUSE BILL No. 1422.

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance of special three-day licenses to nonresidents, by increasing the maximum license revocation period for a first offense, by eliminating the requirements for tags before shipping raw furs to other states, by increasing the penalty for failure or refusing to stop vehicle or conveyance, and by providing additional penalties.

Referred to the Committee on Games and Forestry.

By Messrs. GEER and WILT. HOUSE BILL No. 1423.

An Act to reenact and amend Section 203 and to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing an advisory board for Dixmont State Hospital in the Department of Welfare and defining its powers and duties.

Referred to the Committee on State Government.

By Mr. JOHNSON. HOUSE BILL No. 1424.

An Act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties.

Referred to the Committee on Aeronautics.

By Messrs. TOLL, WELSH, NEEDHAM and LEVEN. HOUSE BILL No. 1425.

An Act to add Section 652.1 to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," to prohibit discrimination in employment on account of age.

Referred to the Committee on Judiciary.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 96.

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by exempting farm fish ponds and certain species of fish contained therein from the provisions of the fish law.

Referred to the Committee on Fisheries.

SENATE BILL No. 470.

An Act to add Section 626.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale or the possession of knives, the blade of which is released by a spring mechanism, including switch blades.

Referred to tde Committee on Judiciary.

SENATE BILL No. 525.

An Act to amend the title and subsection (H) of Section 2 of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" by providing for protection against radiation.

Referred to the Committee on Labor Relations.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 99, 190, 383, 384, 513, 703, 704, 708, 709, 817, 818, 819.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 99, Printer's No. 25, entitled "An act to further amend Section 2 of the act approved the twenty-second day of July one thousand nine hundred thirteen (P. L. 912) entitled 'An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera' by extending the provisions of such act to fix responsibility for the costs incurred in proceedings and appeals on habeas corpus coram nobis and other writs arising out of escapes or crimes and trials therefor."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 190, Printer's No. 22, entitled "An Act authorizing and directing the Secretary of Property and Supplies with the approval of the Governor the Pennsylvania Fish Commission and the Secretary of Forests and Waters to release and quitclaim to E Kent Kane all right title and interest of the Commonwealth to certain land in Sergant Township McKean County formerly conveyed to the Commonwealth subject to conditions that have not been met."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 383, Printer's No. 142, entitled "An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by giving townships additional powers in relation to streets State highways sewers public squares and properties abutting thereon."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 384, Printer's No. 117, entitled "An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled as amended 'An act empowering cities of the second class cities of the second class A of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' by further regulating the imposition of taxes under the provisions of said act the limitation thereon and the publication and filing of notices relative thereto."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 513, Printer's No. 40, entitled "An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 703, Printer's No.

86, entitled "An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled 'An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes' by changing provisions relating to the effective date of laws affecting the budgets of political subdivisions further providing for the correction of errors and providing for the construction of references to certain laws which are repealed."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 704, Printer's No. 87, entitled "An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled 'An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes' by clarifying the effect of amendments upon each other and extending the same to previous enactments."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 708, Printer's No. 89, entitled "An Act relating to and regulating the contracts of incorporated towns and providing penalties."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 709, Printer's No. 88, entitled "An Act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 817, Printer's No. 100, entitled "An Act to amend section four of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1965) entitled 'An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties' by extending the provisions of the additional tax for a limited time."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 818, Printer's No. 101, entitled "An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation' by extending the provisions of the additional tax for a limited time."

JOHN S. FINE.

May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 819, Printer's No. 102, entitled "An Act to further amend section seventeen of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled as amended 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation' by extending for an additional period the right to partial reimbursement of taxes paid on liquid fuels consummed in the operation of certain tractors and machinery for agricultural purposes."

JOHN S. FINE.

REPORT FROM COMMITTEE

Mr. SUCHER from the Committee on Game and Forestry, reported as committed, House Bill No. 1296, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 27, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 115, entitlel:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined increasing the maximum aggregate number of officers and men in the State Police Force

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare defining its powers and duties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 135, entitled:

An Act to further amend Section 1204 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by giving defendant right to elect to be tried by jury

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 155, entitled:

An Act to further amend Clause (f) of Section 448 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the

deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the membership of the advisory Health Board to include one doctor of osteopathy

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 162, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the withdrawing of deceased candidate's name by the county board of elections in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the minimum compensation payable to election officers in third to eighth class counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 301, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating registration of persons in military service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 342, entitled:

An Act to further amend subsection (c) of section nine hundred two and subsection (f) and the penalty clause of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by removing certain equipment requirements pertaining to motor buses and by further prescribing gross weights and axle weights of motor buses having six or more wheels.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 470, entitled:

An Act to amend subsections (d) and (f) of section 816.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by eliminating the provision which requires trailers and semi-trailers to be equipped with safety glass.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 506, entitled:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting shotfirers to carry approved electric lamps.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 630, entitled:

An Act to further amend Section 1207 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing cetain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the disposition of certain fines and penalties collected and bail forfeited.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 672, entitled:

An Act to further amend Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to pivate and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for State payments to approved subleases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 738, entitled:

An Act to further amend Section 28 of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by providing that removal notices may be filed by registered electors moving from one election district to another within the same county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 772, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district and the basis for Commonwealth reimbursements on account of courses for such children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata township Lancaster County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land siutate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for additional assistant county superintendents and supervisors of special education changing the provisions relating to election of county school directors and for supervision over joint school systems when a district having a district superintendent is a party to the jointure and for the election and salary of the district superintendent in such cases and to reenact provisions for the minimum salary of associate superintendents in districts of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal.

And said bill having been read at length the first time, Ordered, To be laid aside for scond reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1019, entitled:

An Act to further amend Section 222 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the provisions of work-hours and vacations to include employes of state institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1041, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by additional compensation for cooperating teachers supervising student teachers to be paid by the teacher education institution in which the student teacher is enrolled.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) as amended entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by requiring one year of approved hospital internship as an additional requirement for licensure exempting interns from the provisions of the act and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residence training in osteopathis hospitals in Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1140, entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1143, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" by requiring the General Assembly to approve the designation of limited access highways

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1150, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating in elections" by changing the provisions relating to the time for holding special elections for Representatives in Congress and Senators and Representatives in the General Assembly and for certifications by the Secretary of the Commonwealth to County Boards of Elections with respect to the nominees for certain offices to be filled at special elections and providing for the holding of special elections to fill vacancies in offices of political subdivisions and for nominating candidates therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of the county board of school directors in certain districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of services for patrolmen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1203, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by limiting the rate of tax permitted on transfers of title of real property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres more or less of land situate in the City of Erie Erie County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1211, entitled:

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1216, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1227, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction or reconstruction and equipment of an office building thereon for the use of the Bureaus of Motor Vehicles and Highway Safety

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1240, entitled:

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal gas and oil and the underground storage of gas in underground strata by regulating the location drilling reconditioning and abandoning of oil and gas wells through workable coal seams providing for the protection of said coal and said wells providing for the regulation of the underground storage of gas in the vicinity of or under coal mines providing for the filing of information relating to the underground storage of gas and the operation of coal mines providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines imposing duties upon gas storage operators persons operating coal mines other persons engaged in operations affecting the mining of coal or the underground storage of gas and the Department of Mines and Courts of Common Pleas and prescribing methods for the enforcement of such duties granting certain corporations the right of eminent domain to appropriate interests in real property for surface and subsurface operations in connection with the underground storage of gas providing for hearings and appeals and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1264, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing provisions for plans of school buildings admission of beginners enumeration of children cost of education of blind children half-day school sessions district teaching units and payments by the Commonwealth for additional units and closed schools and transportation requiring issuance of high school certificates and approval of joint schools providing penalties on school districts and making corrections and supplying omissions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1265, entitled:

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first second second A and third classes boroughs and townships of the first class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by defining the rights of lessees of parking facilities extending the power to lease parking facilities and to exchange properties authorizing temporary bonds and further providing for acquiring property by eminent domain

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Deparement of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1295, entitled:

An Act providing for joint action by the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania in developing utilizing controlling and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply authorizing the Governor for these purposes to enter into a compact with the States of New Jersey Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent thereto creating the Delaware River Basin Water Commission and specifying the powers and duties thereof including the power of eminent domain and the power to finance projects by the issuance of bonds providing for the appointment of the Pennsylvania members of the said Commission approving an integrated water project requiring the Commission to prepare and report plans and specifications for specific projects and requiring certain prior approvals by the Legislatures of the compacting States

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1300, entitled:

An Act to add section five to the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund and directing that appropriations to carry out the provisions of the act are made from the General Fund upon proper budgetary request

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1302, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1319, entitled:

An Act to further amend Section 106 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in one newspaper in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1323, entitled:

An Act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" in so far as it relates to counties of the fourth class and cities boroughs townships and school districts situate in such counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1348, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring the approval of the electorate before school districts may enter into contracts with the State Public School Building Authority or any municipality authority or any non-profit corporation for the leasing of projects and further regulating commonwealth payments to school districts on account of such obligations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1349, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating reimbursements on account of instruction of kindergarten pupils.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1352, entitled:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration fo House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1354, entitled:

An Act to reenact and further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting certain vehicles owned by and used exclusively by certain defense organizations from the payment of registration fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1359, entitled:

An Act to add clause (i) to section one thousand eight hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 41, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; enlarging the jurisdiction and powers of said commission with respect to the acquisition, construction, administration, operation and maintenance of port and terminal

facilities, the financing thereof, and the fixing, charging and collecting of tolls and other charges for the use of said port and terminal facilities; authorizing the issuance of negotiable bonds and obligations of the commission; providing for the designation of deputies to act for and in behalf of absent ex-officio members of said commission from Pennsylvania; authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission; and authorizing the Governor to apply, on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 163, entitled:

An Act to further amend the last paragraph of section five hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by electric cooperative corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act to repeal the act, approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps are filed within a certain time; and imposing duties and conferring powers on recorders of deeds," and all acts amending the same, and validating zoning ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 218, entitled:

An Act to repeal the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office; invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time; and imposing duties and conferring powers on recorders of deeds," and all acts amending the same, and validating building ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 262, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by continuing the provisions of that section in effect for a further period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 292, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 299, entitled:

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 302, entitled:

An Act to amend section 308 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filing thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 304, entitled:

An Act to further amend Section 3 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-one (P. L. 276), entitled, as last amended, "An act requiring persons, partnerships, associations, or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance, surety, or indemnity on property, persons, or insurable business interests within this Commonwealth, to be licensed by the insurance Commissioner; requiring persons, partnerships, associations, or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner; regulating the issuance and revocation of such licenses; prescribing certain conditions for the transaction of such business, providing for the filing of bonds by public adjusters and public adjuster solicitors, and for recovery thereon by parties in interest; and providing penalties," by further regulating the licensing and conditions for transaction of such business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 327, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, all other assistants and employes of certain departments, boards, and commissions shall be determined," by making the Pennsylvania Historical and Museum Commission a departmental administrative commission in the Department of Public Instruction, and prescribing its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 329, entitled:

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 336, entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, by making changes in the appointment and tenure of the Superintendent of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 338, entitled:

An Act to amend Section 408 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by removing the Superintendent of Public Instruction from membership on the State Council of Education and further regulating appointment of members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Health and Welfare; transferring to it the powers and duties of the Department of Health, Department of Welfare and Department of Public Assistance; providing for a Secretary of Health and Welfare; defining his powers and duties; and abolishing the Department of Health, the Department of Welfare and the Department of Public Assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 349, entitled:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 352, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same os public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts of payments from the Commonwealth to counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 410, entitled:

An Act to amend subsection (e) of Section three of the act, approved the nineteenth day of March, one thousand nine hundred fifty-one (P. L. 28), entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense, Mobile Support Units prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts, and providing penalties," by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 411, entitled:

An Act to repeal the act approved the tenth day of May, one thousand nine hundred thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 412, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other Executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the Department of Commerce, and terminating the terms of its officers and employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy provisions and requiring notice of conversion privileges" by increasing the permitted amount of insurance coverage in certin cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend Section 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursements from the Historical Preservation Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 518, entitled:

An Act to amend Section 2 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608) entitled "An act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Code and re-

pealing certain acts" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-sveen (Appropriations Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 520, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions shall be determined," by transferring the Pennsylvania Aeronautics Commission from boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 521, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certan administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs and changing the membership of the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 522, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATERHOUSE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 151, entitled:

An Act providing for the establishment of police pension funds or pension annuities in borough towns and townships and the regulation and maintenance thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 464, entitled:

An Act to amend Section 602.1 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by regulating the tax rates when assessed valuations of real estate are increased

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. FROST. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 946, entitled:

An Act to amend clause (e) of and to add clause (e.1) to Section 401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurer city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by providing for the care of seniles on leave of absence from State mental hospitals and eliminating certain obsolete provisions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to amend paragraph (a) of section eleven of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by requiring certain redevelopers to reimburse public utilities for the costs of removing altering constructing reconstructing locating relocating or otherwise changing their facilities in certain cases.

An said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1257, entitled:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties

Whereas the Federal Government by amendment to the Social Security Act (Public Law 734 81st Congress) has provided that if State plans for old age assistance aid to the blind and aid to the permanently and totally disabled include payments to individuals in private or public institutions State authorities shall be responsible for establishing and maintaing standards for such institutions effective as of the first day of July one thousand nine hundred fifty-three.

An said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies as sureties on bonds of tax collectors

An said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 215) entitled "An act providing for the creation and incorporation as municipal corporations and for the management and operation of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth and its agencies through the construction of water-works and facilities and/or the acquisition of the property water-works rights and franchises of public and private corporations copartnerships associations and individuals furnishing and supplying water to the public in said districts prescribing the powers and duties of such districts and the officers thereof conferring jurisdiction on courts of common pleas in connection therewith and imposing certain costs and charges preliminarly on counties" by further regulating the appointment or election of the governing board and officers of water supply districts conferring powers and imposing duties upon the legislative bodies of political subdivisions providing for water supply district representatives defining their powers and duties and clarifying provisions relating to costs and charges

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1336, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assesments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further defining the manner of making assessments and regulating appeals

An said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1350, entitled:

An Act to amend subsection B and C of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring members to serve without compensation and the treasurer to post a bond

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 439, entitled:

An Act vesting authority in the Secretary of Agriculture to partially reimburse county commissioners for expenditures made from county treasuries for the purpose of eradicating rust spreading barberry bushes, and for the control of the stem rust disease of wheat, oats, barley and rye upon request of county commissioners, and authorizing the Department of Agriculture to establish regu'ations therefor.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use ceretain methods of weighing measuring sampling and testing authorizing the commission to examine

the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 562, Printer's No. 231
House Bill No. 574, Printer's No. 221
House Bill No. 643, Printer's No. 235
House Bill No. 649, Printer's No. 236
House Bill No. 651, Printer's No. 204
House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96
House Bill No. 814, Printer's No. 97 and
House Bill No. 816, Printer's No. 99

were passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 821, as follows:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" is hereby amended to read as follows

Section 1 All fines penalties and forfeitures collected by magistrates aldermen and justices of the peace in summary proceedings under the provisions of any general local or special law unless disposition thereof is therein otherwise specifically provided for or unless disposition thereof is provided for by general law shall be paid quarterly into the county treasury for the use of the county

If under existing law the Commonwealth is entitled to any such fines penalties or forfeitures the same shall be paid monthly into the State Treasury through the Department of Revenue If under existing law any political subdivision other than a county is entitled to any such fines penalties or forfeitures the same shall be paid [quarterly into the treasury of the county in which such political subdivision is located and shall within thirty (30) days thereafter be paid by the county treasurers] monthly to the treasurer of such political subdivision

All the aforesaid payments shall be accompanied by an affidavit of the magistrate alderman or justice of the peace giving the names addresses offenses charged amounts collected and the dates of the offenses

If the magistrates aldermen or justices of the peace fail or neglect to comply with the above requirements and provisions a penalty of six per cent (6%) interest is hereby imposed on the amount of money in the possession of said magistrates aldermen or justices of the peace until such time as payment is made

Section 2 All acts general local or special inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boies,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Buchanan,	Jenkins,	Muldowney,	Tompkins,
Bullen,	Johnson,	Munley,	Toomey,
Capano,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Gran'le E.	Murray, P. G.,	Varallo,
Cioffi,	Jones, Paul F.,	Musto,	Varner,
Clapper,	Jones, T. H. W.,	Naugle,	Vaughan,
Cochran,	Jump,	Needham,	Verona,
Comer,	Kamyk,	Ogilvie,	Wall,
Connelly,	Keller,	Olsen,	Wallace,
Conner,	Kent,	Parlante,	Walsh
Cooper,	Kerlin,	Peifly,	Wargo,
Coyle,	Kline,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pettigrew,	Welsh,
Dougherty,	Kornick,	Pfaff,	Wescott,
Down,	Kratz,	Phillips,	Whalley,
Downey,	Kromer,	Polaski,	Wheeler,
DuBois,	Kubacki,	Polen,	White,
Dunn,	Lafore,	Poltenstein,	Whitenight,
Erb,	Lederer,	Price,	Willaredt,
Ewing,	Leisey,	Quinsenberry,	Williams,
Farabaugh,	Leonard,	Ragot,	Wilt,
Fenrich,	Leven,	Readinger,	Wood,
Ferster,	Light,	Reagan,	Worley,
Filo,	Limper,	Reidenbach,	Yeakel,
Flack,	Lippincott,	Richter,	Yetzer,
Fleischman,	Lopresti,	Rosen,	Young,
Floyd,	Lovett,	Rovansek,	Zeitz,
Flynn,	Lutty,	Royer,	Ziegler,
Frost,	Maguire,	Rubin,	Smith, C. C., Speaker
Geer,	Mahan.	Sarraf,	

NAYS—3

Bucchin,	Jim,	Seyler,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection
House Bill No. 822, Printer's No. 150
was passed over at the request of the SPEAKER.

There being no objection
House Bill No. 833, Printer's No. 205
was passed over at the request of Mr. SCHMIDT.

BILLS PASSED OVER

There being no objection
House Bill No. 894, Printer's No. 299 and
House Bill No. 952, Printer's No. 238
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1017, as follows:

An Act to further amend Section 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by further providing for serving of notice of sale when notice cannot be served by mail

The General Asembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby further amended to read as follows

Section 7 The county treasurer shall advertise the fact of holding such sale once a week for the three successive weeks prior to the holding of such sale in at least two newspapers of general circulation in the county in which such seated land is located if there be two newspapers so published if there be only one then in such newspaper so published in the county

Such advertisement shall set forth

(a) The purpose of such sale

(b) The time of such sale

(c) The place of such sale

(d) The terms of such sale

(e) A list of the seated lands affected and their location and the owner or reputed owner of each

(f) Amount of taxes and interest

In addition to such advertisement at least ten days before any such sale written notice thereof shall be served by the county treasurer by registered mail upon the owner of such land and if the whereabouts of the owner is unknown such notice shall be served by registered mail upon the terre tenant if any [Provided however That no] If such notice cannot be served in said manner on the owner or terre tenant then such notice shall be served by the county treasurer by posting the same in the courthouse and at a conspicuous place on the premises No such sale shall be prejudiced or defeated and no title to property sold at such sale shall be invalidated by proof that such written notice was not served by the treasurer or that such notice was not received by the owner or terre tenant as herein provided

The cost of such advertisements notices and the service thereof shall be taxed as part of the costs of such proceedings and shall be paid the same as the other costs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hooker,	Moore,	Thomas,
Breth,	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Toll,
Bucchin,	Jenkins,	Muldowney,	Tompkins,
Buchanan,	Jim,	Munley,	Toomey,
Bullen,	Johnson,	Murray, J. J.,	VanSant,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Varallo,
Cianfrani,	Jones, Gran'le E.	Musto,	Varner,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh,
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1105, Printer's No. 253

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act to add clause (o) to section two hundred fourteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and animals and amending revising consolidating and changing the law relating thereto" by authorizing the use of poison for wildlife management

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred fourteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended by adding at the end thereof a new clause to read as follows

Section 214 Powers of Members of Commission Director and Game Protectors Each member of the commission the director and each of its lawfully qualified representatives shall have the power

* * * * *

(o) To use poison on public and private lands for wildlife management before poison is used on private lands The commission shall adopt a resolution stating that the use of poison on such lands is necessary and fixing a definite limited area and period of time within the thiry days immediately following for such use Written permission shall then be obtained from the land owner or tenant in possession who may terminate such permission at any time by written notice of the Commission

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Adam,	Gibson,	Markley,	Schmidt,
Alexander,	Gleason,	Mathews,	Schuster,
Amarando,	Glick,	Maxwell,	Schwartz,
Andrews,	Goodling,	McCann,	Scott,
Ashton,	Gramlich,	McCormack,	Seyler,
Auker,	Greenwood,	McCullough,	Shoemaker,
Banker,	Guss,	McDermit,	Shotwell,
Barkdoll,	Gutendorf,	McGee,	Smith, W. B.,
Baumunk,	Guthrie,	McInroy,	Snider,
Bazin,	Hall,	McWherter,	Spencer,
Bear,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Boles,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Bomberger,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Ide,	Moscrip,	Thompson,
Bucchin,	Jenkins,	Muldowney,	Toll,
Buchanan,	Jim,	Munley,	Tompkins,
Bullen,	Johnson,	Murray, J. J.,	Toomey,
Capano,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Musto,	Varallo,
Cioffi,	Jones, Paul F.,	Naugle,	Varner,
Clapper,	Jones, T. H. W.,	Needham,	Vaughan,
Cochran,	Jump,	Ogilvie,	Verona,
Comer,	Kamyk,	Olsen,	Wall,
Connelly,	Keller,	Parlante,	Wallace,
Conner,	Kent,	Peifly,	Walsh,
Cooper,	Kerlin,	Peta,	Wargo,
Coyle,	Kline,	Petrosky,	Waterhouse,
Curwood,	Kohl,	Pettigrew,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Ewing,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wilt,
Fenrich,	Leven,	Reagan,	Wood,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan,		

NAYS—1

Worley,

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1217, Printer's No. 213

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, as follows:

An Act to add subsection (5) to Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

On the question,

Will the House agree to the bill on third reading?

Mr. MORAN. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Chester, Mr. Leisey, permit himself to be interrogated?

Mr. LEISEY. I shall, Mr. Speaker.

Mr. MORAN. Mr. Speaker, I do not like to raise any odors here, but I would like to ask the gentleman to explain the purpose of this bill.

Mr. LEISEY. The purpose of this bill—

Mr. MORAN. I would like to suggest, Mr. Speaker, that if Mr. Leisey will move up closer to the microphone, we might be able to hear him; or maybe he does not want to be heard.

Mr. LEISEY. The purpose of this bill is to prevent the manure from being watered or foreign substances being added before weighing. It is a Department bill and was requested by the Department of Weights and Measures.

The SPEAKER. Does the explanation satisfy the gentleman?

Mr. MORAN. Mr. Speaker, I am still confused. I still did not hear what the gentleman said.

Mr. LEISEY. It is a Department bill and was requested because of a condition existing for quite some time by the mushroom people in Chester County. The objection is that there has been a lot of water added, sand, and other foreign materials before the manure was weighed, and the cost is about double what it should be to the fellow who plants and raises mushrooms.

Mr. MORAN. Mr. Speaker, I want to thank the gentleman for his explanation.

I was speaking to Mr. Leisey the other day, I think it was on the elevator and I asked him about this bill. He told me that he was going to introduce amendments which would take the odor out of the bill, and I am still wondering how he can do that.

Mr. SEYLER. Mr. Speaker, seriously on this bill, I have not yet seen the amendments, and I have an objection to it. I would like to defer voting on it until such time as I can see the amended bill, if the gentleman will permit. There is no copy of the amended bill here, and I would like to see the amended bill before I vote on it.

The SPEAKER. Will the gentleman from Chester permit House Bill No. 1254, Printer's No. 300, to be passed over at this time?

Mr. LEISEY. I will, Mr. Speaker.

BILLS PASSED OVER

There being no objection

House Bill No. 1254, Printer's No. 300

was passed over at the request of Mr. LEISEY.

There being no objection,

Senate Bill No. 43, Printer's No. 115,

Senate Bill No. 207, Printer's No. 278,

SSenate Bill No. 416, Printer's No. 135 and

Senate Bill No. 435, Printer's No. 210

were passed over at the request of the SPEAKER.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1100.

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such conrtacts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, Page 1, by inserting after the word "swine" the following: "providing for renegotiating contracts or parts of such contracts made with persons engaged in such business"

Amend Section 2, Page 3, by adding after line 11 the following:

(b) Notwithstanding any other provision of law it shall be lawful for any person political subdivision institution or public or private corporation to renegotiate or alter or change any contract or any part of any contract with any person firm or corporation deemed to be engaged in the business of feeding garbage for the purpose of providing a just and equitable return on the added expense or investment to the person firm or corporation deemed to be engaged in the business of feeding garbage necessitated in fulfilling such contract due to the provisions of this act

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Adam,	Gibson,	Markley,	Schuster,
Alexander,	Gleason,	Mathews,	Schwartz,
Amarando,	Glick,	Maxwell,	Scott,
Andrews,	Goodling,	McCann,	Seyler,
Ashton,	Gramlich,	McCormack,	Shoemaker,
Auker,	Greenwood,	McCullough,	Shotwell,
Banker,	Guss,	McDermit,	Smith, W. B.,
Barkdoll,	Gutendorf,	McGee,	Snider,
Baumunk,	Guthrie,	McInroy,	Spencer,
Bazin,	Hall,	McWherter,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Bomberger,	Helm,	Mills,	Strausser,
Boory,	Hersch,	Monroe,	Sucher,
Bower,	Hewitt,	Moody,	Taylor,
Breisch,	Hocker,	Moore,	Thomas,
Breth	Hoggard,	Moran,	Thompson,
Brown,	Ide,	Moscrip,	Varallo,
Bucchin,	Jenkins,	Muldowney,	Varner,
Buchanan,	Jim,	Munley,	Toll,
Bullen,	Johnson,	Murray, J. J.,	Tompkins,
Capano,	Jones, Geo. E.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, Gran'le E.	Musto,	VanSant,
Cioffi,	Jones, Paul F.,	Naugle,	Vaughan,
Clapper,	Jones, T. H. W.,	Needham,	Verona,
Cochran,	Jump,	Ogilvie,	Wall,
Comer,	Kamyk,	Olsen,	Wallace,
Connelly,	Keller,	Parlante,	Walsh
Conner,	Kent,	Peifly,	Wargo,
Cooper,	Kerlin,	Peta,	Waterhouse,
Coyle,	Kline,	Petrosky,	Weidner,
Curwood,	Kohl,	Pettigrew,	Welsh,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Floyd,	Lovett,	Royer,	Ziegler,
Flynn,	Lutty,	Rubin,	Smith, C. C., Speaker
Frost,	Maguire,	Sarraf,	
Geer,	Mahan,	Schmidt,	

NAYS—0

NOT VOTING—1

Watkins,

The majority required by the Constitution having voted in the affirmative, the question was determined in

the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

STUDENTS OF WASHINGTON JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House students of the ninth grade of Washington Junior High School, Bethlehem, under the supervision of their Principal, Truman J. Reese. They are the guests of the gentleman from Northampton, Mr. Bucchin.

REPORTS FROM COMMITTEES

Mr. GLEASON from the Committee on Game and Forestry, reported as amended, House Bill No. 1220, entitled:

An Act adopting the Scribner log rule as the standard log rule for determining the boad foot content of saw logs.

Mr. BAUMUNK from the Committee on Game and Forestry, reported as amended, House Bill No. 1422 entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance of special three-day licenses to nonresidents, by increasing the maximum license revocation period for a first offense and allowing appeals from acknowledgements of violations, by eliminating the requirements for tags before shipping raw furs to other states, by increasing the penalty for failure or refusing to stop vehicle or conveyance upon request or signal of an officer in full uniform, and by providing additional penalties.

Mr. WELSH from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1224, entitled:

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating special funds in the custody of the State Treasurer; and prescribing penalties, by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions, for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

Mr. WELSH from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1225, entitled:

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

BILLS ON FIRST READING

Mr. WELSH asked and obtained unanimous consent for House Bill No. 1224 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1224 entitled:

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and to repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. WELSH asked and obtained unanimous consent for House Bill No. 1225 to be read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1225 entitled:

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 815

An Act to reenact the title and reenact and further amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" by chaging the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time

HOUSE BILL NO. 1334.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL NO. 582.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-three

HOUSE BILL NO. 670.

An Act to prohibit operation of boats having a developed horsepower rating in excess of ten on Canadohta Lake in Crawford County

HOUSE BILL NO. 815.

An Act to reenact the title and reenact and further amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled "An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" by changing the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time

HOUSE BILL No. 1334.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the House of Reprsentatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 953, Printer's No. 152, for the purpose of amendment and further study.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

RECONSIDERATION OF VOTE

Mr. WOOD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lancaster, Mr. Wood vote on the final passage of this bill?

Mr. WOOD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on th final pasage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. WOOD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 3 (Sec. 3009), page 5, line 1, by striking out the word "The" where it appears the first time, and inserting in lieu thereof: "In such case the,"

Amend Sec. 3 (Sec. 3009), page 5, lines 1 and 2, by striking out "with the approval of the commissioners"

Amend Sec. 3 (Sec. 3009), page 5, line 3, by striking out "policies"

Amend Section. 3 (Sec. 3009), page 5, line 3, by inserting after the word "schedules" the following: "to be approved by the commissioners,"

Amend Sec. 3 (Sec. 3009), page 5, line 7, by striking out "policies"

Amend Sec. 3 (Sec. 3009), page 5, line 8, by inserting after the word "established" the following: "to be approved by the commissioners,"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a comumnication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 347

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill N. 347, Printer's No. 53, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

RECONSIDERATION OF VOTE

Mr. VanSANT. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lehigh, Mr. VanSANT vote on the final passage of this bill?

Mr. VanSANT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from McKean, Mr. JOHNSON vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. VanSANT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. VanSANT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 12, by striking out after the word "of" and before the word "funds" the following: "said."

Amend Section 1, page 2, line 12, by inserting after the word "funds" and before the word "through" the following: "received by him in his capacity as city treasurer or as tax collector of city county institution district and school taxes."

Amend Section 1, page 2, line 14, by inserting after the word "direct" and before the word "conditioned" the following: "Said fidelity bond to be."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1007

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1007, Printer's No. 139, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong Mr. Helm vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1,page 2, line 7, by striking out at the end of the line after the word "any" and before the word "court" the following: "appellate."

Amend Section 1, page 2, by striking out lines 10 and 11.

Amend Section 1, page 2, line 12, by striking out before the word "shall" the following: "trying the case in the lower court."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, several months ago I suggested a tax program, but it was turned down and labeled as a "soak the rich program," but yesterday after several months of waiting and expense, I heard the Governor tell the General Asembly the following:

> From this list and others as mentioned by me, you may secure to balance this budget either $120 million or $127.5 million whichever you determine necessary.

Number three of that Governor's list states in part as follows:

> A tax on jewelry, furs, toilet preparations, luggage.

This number three was a large portion of my luxury tax program. Can it be that the Governor at last sees some merit in placing a tax on luxuries and ability to pay?

ADJOURNMENT

Mr. Miller. Mr. Speaker, I move that this House do now adjourn until Monday, June 8, 1953 at 12 noon, E. S. T.

The motion was agreed to, and (at 10:18 a. m., E. S. T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., MONDAY, JUNE 8, 1953. No. 47.

SENATE

MONDAY, June 8, 1953

The Senate met at 3:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H Wood) in the Chair.

PRAYER

The Chaplain, Rev. J. B. WILLIAMS, Pastor of the Second Baptist Church, Harrisburg, offered the following prayer:

Almighty God, we thank Thee for the privilege of being alive in these times of challenge and opportunity. Equip us with unshaken faith and dauntless courage for the responsible position to which we have been called by our fellowmen. Help us that we may at all times and in all circumstances give to this office dignity and honesty.

May we never fail nor forsake our trust because of cowardice and weakness. Help each of us to rise to the high level of unselfishness and service which Thou dost expect of us. Grant that we give our best to Thee each day, in the giving of our best to our task. Discipline us in service to the common good. Unite us in one continuous prayer and effort that, under Thy guidance, we may make our world a place where fruitful industry, valiant truth, responsible freedom, creative love and pure religion flourish and all men dwell together as the sons of God in love and peace, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. LETZLER temporarily.

He also asked and obtained leave of absence for Mr. WATKINS, because of pressing business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred C. Groff, 502 North Front Street, Wormleysburg, Cumberland County, for appointment as Justice of the Peace in and for the Borough of Wormleysburg, Cumberland County, until the first Monday of January 1954, Vice W. Scott Coble, resigned.

JOHN S. FINE

MEMBER OF PUBLIC SERVICE INSTITUTE BOARD

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Nelson Yearick, 140 West Third Street, Lewistown, Mifflin County, for appointment as a member of the Public Service Institute Board for the term of four years, and until his successor is appointed and qualified, vice John A. Moran, Johnstown, deceased.

JOHN S. FINE

ALDERMAN

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James T. Taylor, 637 Belmont Street, Coatesville, Chester County, for appointment as Alderman in and for the Fourth Ward of the City of Coatesville, Chester County, until the first Monday of January 1956, vice Ernest J. Sollars, resigned

JOHN S. FINE

MEMBER OF BOARD OF TRUSTEES, KUTZTOWN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Enoch Rothermel, New Berlinville, Berks County, for appointment as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified, vice Paul H. Price, Esq., Wyomissing, resigned.

JOHN S. FINE

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert B. Park, Sr., 108 Fourth Street, Fayette City, Fayette County, for appointment as Justice of the Peace in and for the Borough of Fayette City, Fayette County, until the first Monday of January 1956, vice Wilbur B. Evans, deceased.

JOHN S. FINE

MEMBER OF BOARD OF TRUSTEES, PENNHURST STATE SCHOOL

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Elmer W. Bowman, 537 Church Street, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Pennhurst State School, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE

MEMBERS OF BOARD OF TRUSTEES, NORRISTOWN STATE HOSPITAL

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Norristown State Hospital, for the term of four years, and until their successors are qualified:

Dr. George W. Miller, 618 DeKalb Street, Norristown, Montgomery County (Reappointment).

Miss Nancy P. Highley, 611 Swede Street, Norristown, Montgomery County (Reappointment).

William Y. Hunsberger, 59 Penn Street, Souderton, Montgomery County (Reappointment).

Philip L. Corson, Spring Mill Road, Plymouth Meeting, Montgomery County, (Reappointment)

T. Allen Glenn, Jr. 1511 Boyer Blvd, Norristown, Montgomery County (Reappointment).

Simon K. Moyer, Silverdale, Bucks County vice E. W. Bonnaffon, Ardmore, whose term expired.

JOHN S. FINE

MEMBER OF STATE BOARD OF NURSE EXAMINERS

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Oliva L. Barres, Director of Nurses, Reading Hospital School of Nursing, Reading, Berks County, for appointment as a member of the State Board of Nurse Examiners, for the term of six years, and until her successor is appointed and qualified, vice Miss Lillian E. Willetts, Pittsburgh, resigned

JOHN S. FINE

MEMBERS OF STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Board of Optometrical Examiners, for terms of four years, and until their successors shall have been appointed and qualified:

Dr. Stanley A. Brown, 110 South 5th Street, Reading, Berks County.

Dr. A. M. Peters, 17 East Mahoning Street, Danville, Montour County.

Dr. Robert W. Sheppard, 113 West 11th Street, Erie, Erie County.

JOHN S. FINE

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward Meehan, Dushore, Sullivan County, for appointment as Justice of the Peace in and for the Borough of Dushore, Sullivan County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED

SENATE BILL No. 582, PRINTER'S No. 236

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 582, Printer's No. 236, entitled "An act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-three."

JOHN S. FINE.

APPROVED AND SIGNED

SENATE BILL No. 68, PRINTER'S No. 174

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 2, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 68, Printer's No. 174, entitled "An Act to amend the title and to further amend the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 1012) entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act' by increasing the maximum loan to six hundred ($600) dollars fixing the rates of interest on balances in excess of three hundred ($300) dollars and extending the maturity limitation on loans."

JOHN S. FINE.

APPROVED AND SIGNED
SENATE BILL No. 354, PRINTER'S No. 152

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 354, Printer's No. 152, entitled "An Act to add clause (15) to Section 14 of the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 89) entitled 'An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto' by providing for a rule of construction with respect to cemetery lots owned by a testator or in which he has a right of interment."

JOHN S. FINE.

APPROVED AND SIGNED
SENATE BILL No. 391, PRINTER'S No. 114

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In have the honor to inform you that I have this day approved and signed Senate Bill No. 391, Printer's No. 114, entitled "An Act to further amend subsection (e) of section 608 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by changing applicant and operators license requirements."

JOHN S. FINE.

SENATE BILL No. 474, PRINTER'S No. 170,
RETURNED WITHOUT APPROVAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 474, Printer's No. 170, entitled "An Act to further amend Section one of the act approved the twenty-sixth day of April one thousand nine hundred forty-five (P. L. 318) entitled 'An act to regulate the sale and possession of penicillium (penicillin) and its derivatives preparations and compounds in the interest of public health' by providing certain exceptions to said act."

This bill further amends Section 1 of the Act by providing a further exception to the provisions of said act which regulates the sale and possession of penicillium (penicillin) and its derivatives, preparations and compounds in the interest of public health by prohibiting the retail sale or dispensing of penicillium and its derivatives, preparations and compounds without the written prescription of a duly licensed physician, dentist or veterinarian.

This bill would permit retail sales and the dispensing of penicillium and its derivatives, preparations and compounds without a written prescription when the drug is used to supplement animal or poultry feeds that are not intended for human consumption. It does not, however, contain adequate safeguards to insure the proper use of the drug for these purposes. Under its present form, anyone could acquire the drug without a written prescription if it is alleged that it would be used to supplement animal or poultry feeds; also, when penicillium is used for these purposes, it appears that all provisions of the Act of 1945, supra, are to be suspended.

However desirable the use of the drug to supplement animal or poultry feeds might be, an exception to the Act of 1945, supra, which would also allow all purposes of the act to be defeated by circumvention under the guise of using the drug for animal or poultry feeds must be prevented.

For these reasons, the bill is not approved.

JOHN S. FINE.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1100

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such conrtacts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 821, entitled:

An Act to amend section 1 of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings and imposing penalties" by requiring magistrates aldermen and justices of the peace to make monthly settlements with certain political subdivisions

Which was committed to the Committee on Judiciary General.

House Bill No. 1017, entitled:

An Act to further amend Section 7 of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned

as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by further providing for serving of notice of sale when notice cannot be served by mail

Which was committed to the Committee on Judiciary General.

House Bill No. 1107, entitled:

An Act to add clause (o) to section two hundred fourteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the use of poison for wildlife management.

Which was committed to the Committee on Forests and Waters, Game and Fish.

BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 171, entitled:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule the practice and procedure govening appeals to the Supreme or Superior Courts of Pennsylvania

Senate Bill No. 203, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies.

House Bill No. 670, entitled:

An Act to prohibit operation of motor boats of more than ten horsepower on Canadohta Lake, in Crawford County

House Bill No. 1100, entitled:

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such contracts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. KOPRIVER, JR., from the Committee on Local Government, reported as amended House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by requiring supervisors to fix certain compensation of the township secretary, clarifying certain provisions relating to compensation of township auditors, authorizing certain training of policemen at township expense, increasing powers of supervisors to regulate garbage and rubbish, authorizing erection of parking meters and regulation of parking meter charges, providing for township acquisition and control of abandoned cemeteries, regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning.

BILLS INTRODUCED AND REFERRED

Mr. BLASS read in his place and presented to the Chair Senate Bill No. 654, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by establishing refusal to have sexual intercourse a cause for divorce in certain cases.

Which was committed to the Committee on Judiciary General.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 655, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by adding new routes in Warren County.

Which was committed to the Committee on Highways.

Messrs. TAYLOR and HARE read in place and presented to the Chair Senate Bill No. 656, entitled:

An Act to further amend the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation thereof," by regulating the sale of certain seeds.

Which was committed to the Committee on Agriculture.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 657, entitled:

An Act requiring copy of confession be given defendant.

Which was committed to the Committee on Judiciary General.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 658, entitled:

An Act to amend Section 654 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by including swimming pools in definition of a place of public accommodation, resort or amusement.

Which was committed to the Committee on Judiciary General.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 659, entitled:

An Act to amend Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating therto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejectment.

Which was committed to the Committee on Judiciary General.

PETITIONS AND REMONSTRANCES

Mr. McCUSKER. Mr. President, I dislike very much the task on which I am about to set forth. I am taking to task certain leaders of my party, which I dislike very much. I feel that now is the time when we must take them to task.

Mr. President, I would like to bring to the attention of the Senators here what is existing and going on in the city of Philadelphia. At the present time, the Governor is using his office as a tool in a factional fight, which is resulting in the dismissal of three employees of one of the State departments. These gentlemen are very efficient and very capable men. However, it is the ultimate result that the little fellow must suffer and he is suffering at the present time. If we are for efficiency and economy in government, then it is important that these men be reinstated.

Mr. President, at the present time they have created quite a condition in Philadelphia, which is destroying the morale of the various State departments. On this condition, the newspapers have published that forty-eight more employees are to be dismissed. There does not seem to be any cause why these dismissals should be in existence. As a result of this newspaper publicity of these forty-eight employees in the State Department, the morale of the office, as I said, has been affected. The ultimate result is that the taxpayers in the Commonwealth of Pennsylvania and the city of Philadelphia have been affected.

Mr. President, I feel under the circumstances that if the Senators are appraised of this condition, something can be done to rectify it. I feel that these little men, who have been affected by these dismissals, should be reinstated. I feel that something should be done about relieving the condition which now exists in the city of Philadelphia.

SENATE CONCURRENT RESOLUTION

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO CONDUCT A STUDY OF THE EFFECTIVENESS AND THE ADMINISTRATION OF THE "SOLICITATION ACT"

Messrs. WADE and TAYLOR offered the following resolution which was twice read as follows:

In the Senate, June 8, 1953.

Whereas, The inhabitants of this Commonwealth are asked to contribute to many worthy charitable, religious, benevolent, humane and patriotic purposes; and

Whereas, The solicitation of funds for such purposes is presently regulated by the provisions of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," and its amendments; therefore, be it

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to conduct a study of the effectiveness and the administration of the "Solicitation Act" and the propriety of exempting any organization from its provisions, and to report to the next regular session of the General Assembly, its findings and recommendations with such drafts of legislation necessary to carry the recommendations into effect.

RULE 39 SUSPENDED

Mr. WADE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTIONS

THANKS OF SENATE EXTENDED TO EDWARD A. LINSKY FOR HIS OUTSTANDING WORK WITH AMERICAN LEGION

Mr. WALKER. Mr. President, I offer the following resolution, and for the information of the Members of the Senate I would like to read it.

In the Senate, June 8, 1953.

"One of the United States' staunchest supporters of the basic fundamentals of republican constitutional government is the American Legion. The Legion throughout its existence has continually strived to inculcate the love and honor due our Nation into its citizens, as well as to protect the families of servicemen from the vicissitudes of life.

"The Pennsylvania Department of the Legion has been very fortunate in having one of the finest and hardest working men in the entire national organization of the American Legion.

"Edward A. Linsky has been associated with the American Legion since 1919. He has held various important offices in the Pennsylvania Department and has been its Adjutant since 1935.

"His first job, with the Legion, upon his discharge from the Army, was Director of Distribution of French War Memorial Certificates to the families of servicemen killed in World War I. Mr. Linsky, then realizing the value of the American Legion's program, personally introduced the Legion and its work to the citizens of Philadelphia. The War Department officially commended him for the outstanding manner in which he performed his task.

"Perhaps, the greatest work he did for the Legion, and the one task that best describes the humanitarian nature

of Mr. Linsky, was the creation, by him, of the Disabled Soldiers Committee, which has as its goal the alleviation of suffering by servicemen's widows and orphans and providing care for wounded veterans.

"The esteem in which he is held by his fellow Legionnaires is evidenced by the fact that every Department Commander has renamed him as Adjutant for the Pennsylvania Department.

"The years of unselfish service to his fellow men have taken their toll upon the health of this man, who has given so much of his life and time to others, that his failing health now requires him to resign from his life's work; therefore, be it

"Resolved, That the Senate thank Edward A. Linsky for the outstanding work he has performed for his fellow citizens, and recognize in him the personification of the Legion's guiding obligation 'To Serve God and Country'; and be it further

"Resolved, That the Secretary of the Senate forward copies of this resolution to Mr. Linsky and to the Pennsylvania Department of the American Legion."

Mr. President, I offer this resolution on behalf of the Legionnaires in the Senate, Senator Hare, Senator Freed, Senator Wade, Senator Kessler, Senator Mallery, Senator Wolfe, Senator Pechan, Senator Peelor, Senator McPherson, Senator McCusker and myself.

RESOLUTION ADOPTED

Mr. WALKER. Mr. President, I move the adoption of this resolution.

Mr. HARE. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

The PRESIDENT. The resolution is adopted.

PRESENTATION OF OFFICE CHAIR TO THE HONORABLE LLOYD H. WOOD

Messrs. WATSON and CHAPMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 8, 1953.

Rarely does a former Senator become the Lieutenant-Governor of the Commonwealth and thereby become President of the Senate.

The rarity is personified by our present Lieutenant-Governor Lloyd Wood, who before his election to that office was a colleague of ours in the Senate.

With tongue in cheek, we presented a chair for use in his office, hoping he would embody into his new duties those qualities of leadership, integrity, honesty and friendship that marked our previous relationship with him, as a truly wholesome experience.

Since that time we have closely observed his actions, in and out of the chair, and are now firmly convinced that he has not only admirably filled our preconceived convictions as to his ability and character, but in addition has more than adequately filled the chair; therefore, be it

Resolved, That the Senate give this chair, as a token of its esteem and affection to our former colleague and with it the sincere desire that he derive as much pleasure from its use in the future as he has in the past.

Ode To A Chair
What is so rare
As a Chair
That fits the
Derriere.

The PRESIDENT. The Chair feels he should retire to the "Racquet Club."

SENATE CONCURRENT RESOLUTION

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE FACTORS RESPONSIBLE FOR HIGHWAY ACCIDENTS

Messrs. HARE and SNOWDEN offered the following resolution which was twice read and referred to the Committee on Highways:

In the Senate, June 8, 1953.

Whereas, Pennsylvania's highway system, comprising more than 40,000 miles, is the most extensive State highway system in the United States, and

Whereas, The Pennsylvania Turnpike is world-famous as the greatest toll highway ever constructed; and

Whereas, Millions of vehicles of all types annually travel the highways of Pennsylvania; and

Whereas, A joint legislative committee of this General Assembly has made extensive investigations and submitted a factual report on turnpike safety; and

Whereas, Much has been accomplished in the interests of safety by said joint legislative committees; and

Whereas, The said joint legislative committee has determined that the study of highway safety should be continued and should include the highway system generally, as well as the turnpike; and

Whereas, the Pennsylvania safety record is outstanding; yet, the concern is that the system shall be the safest in the world; now, therefore, be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission be directed to make a thorough and exhaustive study of the factors responsible for highway accidents and to formulate recommendations contemplating the reduction of such accidents; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations to the next regular session of the General Assembly.

RESOLUTION REFERRED TO COMMITTEE

REQUESTING THAT JOINT STATE GOVERNMENT COMMISSION RE-ESTABLISH ADVISORY COMMITTEE TO THE LEGISLATIVE SUBCOMMITTEE ON DECEDENTS' ESTATES LAWS

Messrs. KEPHART and WALKER offered the following resolution which was twice read and referred to the Committee on Judiciary General:

In the Senate, June 8, 1953.

Whereas, Under Senate Resolution, Serial No. 46, adopted March 13, 1945, and under Senate Resolution Serial No. 34, adopted March 10, 1947, the Joint State Government Commission was directed to study, revise and prepare for reenactment the Orphans' Court Partition Act, the Orphans' Court Act, the Revised Price Act, the Wills Act, the Register of Wills Act, the Intestate Act and the Fiduciaries Act, together with their supplements and amendments; and

Whereas, In accordance with said resolution, the Joint State Government Commission appointed a legislative subcommittee of twelve members. This legislative committee in turn appointed an Advisory Committee composed of outstanding members of the Bar, both judges and attorneys, who were recognized experts in the field of Decedent Estates Laws; and

Whereas, The Joint State Government Commission, the legislative subcommittee and the Advisory Committee, completed their studies and prepared all of the drafts of various revisions deemed necessary, including the "Incompetents' Estates Act of 1951," all of which were enacted into law during either the 1947, 1949 or 1951 legislative session; and

Whereas, The results of the work of these committees

was received by the legislature, the bench and the Bar with the highest commendation; and

Whereas, There is a growing recognition of a need to continue the Advisory Committee's existence and work; therefore be it

Resolved, That the Joint State Government Commission shall reestablish the Advisory Committee, to the Legislative Subcommittee on Decedents' Estates Laws and reappoint the same members to said Advisory Committee

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, last week on behalf of myself and my colleague, Senator Camiel, a bill was introduced asking that the toll charged by the Delaware River Bridge Commission be kept at a maximum of twenty cents, which is the present rate. Since that time, the State of New Jersey has seen fit to investigate the Delaware River Bridge Commission as to the proposed increase in the rate from twenty cents to twenty-five cents.

Mr. President, the Delaware River Bridge Commission has not made a report to this body, as far as I know, why that increase is necessary. Each week we find that the number of automobiles using that thoroughfare across the river is becoming greater and greater, and the revenue also proportionately increases.

Mr. President, I am, therefore, on behalf of myself and my colleague, Senator Camiel, introducing this resolution.

SENATE CONCURRENT RESOLUTION

URGING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE TOLL INCREASE PROPOSED BY THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Messrs. WEINER and CAMIEL offered the following resolution which was twice read and referred to the Committee on Highways:

In the Senate, June 8, 1953.

The founding purpose of the Delaware River Joint Toll Bridge Commission was and is to provide bridge facilities without the expenditure of large sums from public revenues.

It was never intended that the private revenue of the motorist be depleted in order to avoid levies upon public revenues.

The Delaware River Joint Toll Bridge Commission has recently proposed a toll increase for the bridges under its jurisdiction; therefore be it

Resolved (if the House of Representatives concur) That the President Pro Tempore of the Senate and the Speaker of the House of Representatives of this Commonwealth, each appoint three members to serve as a committee to investigate the need for and the reasonableness of the proposed toll increase on the bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and make a report of its findings and recommendations to the present General Assembly, as soon as practicable.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, I have a resolution I want to present, and for the information of the Senate—I wish that they would all hear me out—I do not intend to read the resolution, but I do intend to talk about the subject matter therein contained.

Mr. President, in the city of Jeannette, in Westmoreland County, there exists a manufacturing plant called the Pennsylvania Rubber Company, probably one of the oldest rubber manufacturing plants in the Country. During the First World War, they pioneered in the development of a gas mask for the United States Army. From that time to this, they have held contracts to manufacture gas masks for the Chemical Warfare Division of the United States Government.

The week before last, Mr. President, it was called to my attention that the new contracts were being let or being read in New York by the Chemical Warfare Division. Our company officials in Jeannette had heard a rumor that for some reason or other Firestone Manufacturing Company, Tire and Rubber Company, a comparatively new company in the gas mask field, was being favored to be given all of the gas mask manufacturing in the United States of America.

Mr. President, our company was duly alarmed because of the fact that a few years ago, due to economic conditions, the tire producing part of that plant or department was taken to Texas, and it has had a very difficult time to rebuild its business. From that time to this, the management has worked valiantly to reestablish a pretty fair employment record.

Mr. President when the bids were opened it was discovered that the Pennsylvania company was one hundred and eighty some odd thousand dollars low in bidding. Despite the fact that they were the low bidders, the contract was awarded to the Firestone Tire and Rubber Company. It means 445 jobs, in a community that has been a distressed employment area since the time that the tire division was taken from that town, will be relinquished.

Upon contacting Senator Duff and Senator Martin and Congressman Kelley from that District, Mr. President, I have been informed, prior to any notices going to the newspaper, that they were awarding the contract on a technicality. They took the position that Falls River, Massachusetts, wherein this Firestone plant is situated, was in a Number 4 employment area and, therefore, they could, under the governmental regulations, give a higher bid to a factory or manufacturing plant which was situated in a distressed employment area.

Mr. President, I immediately contacted your Pennsylvania Department of Employment, under Mr. A. J. Caruso, and he immediately contacted Washington, the Department of Labor, and discovered that Falls River, Massachusetts and Jeannette, Pennsylvania, are in identical employment areas.

Now, Mr. President and Members of the Senate, I, along with millions of other Americans, listened last year to the great talk of misfeasance and malfeasance in office in the Washington government. I heard my party castigated on the airways and in the byways of this land of ours because of favoritism being practiced in government contracts. I never expected that any party which would ride to power on a reform movement would, upon its first occasion in a Pennsylvania contract that I know about, deliberately use favoritism in the granting of that contract.

Mr. President, it is a very serious matter to the community of Jeannette. We are a little community, and mind our own business pretty well, nestled in the foothills of the Allegheny Mountains. We do not ask much help from the outside world; we try to do our own work; we try to live our own lives and pay our own bills. If we would have been the high bidders in this contract, there would not have been a squawk from anybody in that community. They are good winners and they are good losers, but we do not like this kind of deal, whether it comes from a Republican or a Democratic Administration.

Mr. President, I believe that the time has come when Pennsylvania ought to assert itself. The mere fact that the Speaker of the House, who comes from Massachusetts, and Senator Saltonstall made it their business to intercede for Falls River should not act to the detriment of any Pennsylvania community.

Mr. President, I am calling upon the Senate of Pennsylvania, and the House of Representatives, and the Governor of this Commonwealth, and our two United States Senators and our Congressional Delegation to immediately look into the situation and find out what is going on in Washington. If they have a legitimate reason, I will be the first to apologize for any remarks which I may have made that are derogatory to those who have had the handling of this contract in their power.

Mr. President, on the surface, and from the facts as I know them, I believe the time has come to put a stop to this type of government. If they are repaying a debt to Firestone Tire and Rubber Company for campaign contributions, the same as they paid to the oil people for the Tidelands Oil, then the people ought to know it and the people of my community ought to know it. Government, above all, should be honest in its contract relationships with subdivisions, and with manufacturers and with the citizens of the great Country Government.

Mr. President, I think the time has long passed when skulduggery should be the password in governmental business. I think that this Senate ought not to hesitate one munite in calling upon the United States Senators from this State to investigate immediately, and I believe that if they take action they can put through restraining orders and stop this contract from being taken from the oldest manufacturer of gas masks in the United States, and probably the best. I, for one, am not going to sit idly by and watch my town in Pennsylvania being discriminated against for political or any other kind of favors.

Mr. President, I would fight just as hard upon this floor, or anywhere else, if it were your county or your town being discriminated against.

RESOLUTION REFERRED TO COMMITTEE

URGING INVESTIGATION OF THE AWARDING OF A CONTRACT TO MANUFACTURE GAS MASKS

Mr. DENT offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, June 8, 1953.

Whereas, A Pennsylvania manufacturing corporation, known as the Pennsylvania Rubber Company, situated in Jeannette, Pennsylvania, has been in the forefront in the manufacture of gas masks with the Chemical Warfare Division of the United States Government, and

Whereas, Of recent date bids were opened for the renewal of the contract for manufacturing of gas masks and the aforementioned company was judged to be a lower bidder in a bid involving millions of dollars, and

Whereas, It appears contrary to good government and good business practice, the Chemical Warfare Division has awarded the contract for the manufacturing of gas masks to the Firestone Tire and Rubber Company for its plant at Falls River, Massachusetts, and

Whereas, The failure to receive this contract means a loss of employment of approximately 445 employees of the Pennsylvania Rubber Company which in turn will create a labor situation that will place this community in a serious distressed employment area, and

Whereas, The technicality on which the Firestone Tire and Rubber Company was awarded this contract was based upon an erroneous and unproven statement that Falls River, Massachusetts was a distressed employment area, and

Whereas, The records show that Jeannette, Pennsylvania and Falls River, Massachusetts are both in the same relative category regarding employment, therefore it appears that political and other considerations not based on sound governmental and business practices have been used as the determining factor in the allotment of this contract and that said contract may have been awarded on the basis of favoritism and political expediency, therefore be it

Resolved, That this General Assembly of Pennsylvania, call upon the Governor of the Commonwealth, John S. Fine, to contact the United States Senators James Duff and Edward Martin and Congressman A. B. Kelley of Westmoreland County, to ask for a restraining order on the allotment of this contract until a thorough investigation is made by the House and Senate of the United States Government, and further be it

Resolved, That the Governor of the Commonwealth, protest to the President of the United States, the manner in which this entire matter was developed, particularly in the secrecy attendant to the matter of bid opening, timing and the charges of predating on the letters of invitation sent out by those responsible for receiving, tabulating and awarding the bids, and be it further

Resolved, That a copy of this Resolution be dispensed immediately to the two United States Senators aforementioned, the United States Congressman aforementioned and the President of the United States.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE ART COMMISSION

Frederick A. Muhlenberg, Wernersville, from July 14, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

Robert Watson Schmertz, Pittsburgh, from July 21, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Frank C. Selecky, R. D. No. 3, Shickshinny, Luzerne County, for appointment as Justice of the Peace in and for the Township of Union, Luzerne County, until the first Monday of January 1954, vice John E. Snyder, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Crawford H. Simmers, 1632 Chestnut Street, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of North Cornwall, Lebanon County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

L. Pat McGrath, Pittsburgh, from January 14, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

H. B. Wood, Wind Ridge, from December 22, 1951, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Thomas M. Reese, Canonsburg, from December 22, 1951, for the term of four years, and until his successor is qualified.

Walter F. Rhine, Canonsburg, from December 22, 1951, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

METROPOLITAN STUDY COMMISSION OF ALLEGHENY COUNTY

Park H. Martin, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

David H. Kurtzman, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Joseph E. Hutchinson, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

John A. Feigel, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Elmer J. Holland, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

John B. Campbell, Valencia, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Thomas B. Sproul, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Edw. F. Waldschmidt, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Charles A. Kinkaid, McKeesport, from September 11, 1952, until the end of the 1953 session of the General Assembly.

John P. Robin, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Nicholas J. Stabile, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Alfred W. Beattie, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

F. Dewitt Zuerner, Braddock, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Wallace Richards, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

Louis J. Conley, Pittsburgh, from January 23, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF STATE BOARD OF OSTEOPATHIC EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. John H. Warren, 920 North Sixty-third Street, Philadelphia, for appointment as a member of the State Board of Osteopathic Examiners, for the term of four years, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William W. Watkins, Rossville, York County, for appointment as Justice of the Peace in and for the Township of Warrington, York County, until the first Monday of January 1954, vice O. H. Barnes, deceased.

JOHN S. FINE.

MEMBERS OF FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Fulton County Board of Assistance:

Leroy Weiser (Republican), State Route, McConnellsburg, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Howard C. Peck, McConnellsburg, resigned.

Clinton Lister (Republican), Knobsville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Ralph Fraker, Fort Littleton whose term expired.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, RETREAT STATE HOSPITAL

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph W. Shergalis, 473 East South Street, Wilkes Barre, Luzerne County, for appointment as a member of the Board of Trustees of Retreat State Hospital, for the term of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Walker, 200 Ninth Avenue, Collegeville, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Collegeville, Montgomery County, until the first Monday of January 1954, vice Arthur Rasmussen, resigned.

JOHN S. FINE

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert Boocock, Skippack, Montgomery County, for appointment as Justice of the Peace in and for the Township of Skippack, Montgomery County, until the first Monday of January 1956, vice Edward J. McQuaid, resigned.

JOHN S. FINE

MEMBER OF STATE BOARD OF EXAMINERS OF ARCHITECTS

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter Antrim, Architects Building, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years, and until his successor is appointed and qualified, vice-Edmund R. Purves, Media, resigned.

JOHN S. FINE

BRIGADIER GENERAL OF THE PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry K. Fluck, Somerset, Somerset County, for appointment as Brigadier General of the Pennsylvania National Guard, to serve until terminated.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert L. Buchanan, 1340 Elk Street, Franklin, Venango County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice Robert Lamberton, Franklin, deceased.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA FISH COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace Dean, Meadville, Crawford County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1961, and until his successor is appointed, vice Philip E. Angle, Sharon, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Chester L. Fox, R. D. No. 2, Reynoldsville, Jefferson County for appointment as Justice of the Peace in and for the Township of Winslow, Jefferson County, until the first Monday of January 1956, vice Joseph Vetro, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate J. M. Reed. 99 Third Street, Jeddo, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Jeddo, Luzerne County, until the first Monday of January 1954, vice William T. Howells, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry J. Hemer, 1727 Indiana Avenue, Monaca, Beaver County, for appointment as Justice of the Peace in and for the Borough of Monaca, Beaver County, until the first Monday of January 1956, vice Harrison A. Weigle, resigned.

JOHN S. FINE.

MEMBER OF DELAWARE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Christie (Republican), 901 Glenbrook Avenue, Bryn Mawr, Delaware County, for appointment as a member of the Delaware County Board of Assistance, to serve until December 31, 1953, and until her successor is duly appointed and qualified. vice John H. Foster, Wayne, resigned.

JOHN S. FINE.

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Mechanicsville, Bucks County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

PROTHONOTARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mr. William F. Liljenberg, 1305 Filmore Avenue, Erie, Erie County, for appointment as Prothonotary of the Court of Common Pleas in and for the County of Erie, until the first Monday of January, 1954, vice Lawrence A. Taylor, deceased.

JOHN S. FINE.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I just wish to add a few words to those remarks made by my colleague from Philadelphia, Senator McCusker, with regard to the disposition of William Brown as Secretary of the Department of Welfare.

Mr. President, it may seem odd to have a Member of the Democratic Party take an interest in a Republican Cabinet Member. However, I am not speaking for my party; I am speaking for myself. I know of no man who has given more time, as a Cabinet Member, to his job than has the former Secretary of Welfare, Mr. Brown. He took time to make personal visits throughout the Commonwealth to learn firsthand what is taking place in our State institutions.

Mr. President, I must agree that I do not like the remarks he made about the Members of my Democratic Party several weeks ago, when he blamed us for the lack of passage of a tax measure, but I must agree that he was a good Secretary. I, up until the present time, have found no reasons for the Governor to dismiss him as he has. It may be a fight between Senator Duff and Governer Fine. However, when we do get a good public employee, it is quite apparent he must play politics to satisfy the whims of the party in power or else he is fired.

Mr. President, I say you will have a hard time in replacing him. Surely you will find new men, men who will be politically minded wholly, but Bill Brown was a good Secretary of Welfare. He did a good job, and I feel sorry that Governor Fine saw fit to discharge him at this time.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, as my collegaue, Senator Haluska, was talking, a little rhyme came to my mind that is very apropos. In fact, I will try to put it into words:

"It is in all the papers for everyone to see,
"That the head of the Department of Welfare ain't what he used to be;
"The late lamented Mr. Brown has hurriedly and tearfully just left town."

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I just want to concur in the action of the Governor. In my opinion, it has been long overdue. I wrote a letter to the Governor to that effect, and will read it into the record tomorrow.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, I believe I followed the career of the late Mr. Brown as much as anyone in the Senate, and I would say that I differ with my colleague, Mr. Haluska, when he said that Mr. Brown had a record of tending to business. He had a record similar to Secretary Sordoni, in being absent more than any other department head on the Hill.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, it is quite apparent that my Democratic colleagues do not agree with me.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PROPERT and KESSLER read in place and presented to the Chair Senate Bill No. 660, entitled:

An Act to further amend clause (6) of Section 2501 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the law relating thereto," by increasing the local effort rate used in computing the standard reimbursement fraction for school districts.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair, Senate Bill No. 661, entitled:

An Act to further amend Section 2511.1 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by limiting Commonwealth payments to school districts on account of obligations to the State Public School Building Authority, municipality authorities and non-profit corporations, where the districts have not exhausted their borrowing power.

Which was committed to the Committee on Education.

REPORTS FROM COMMITTEES

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, reported as committed House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties.

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as amended Senate Bill No. 15, entitled:

An Act to amend subsection (d) of Section 7 of the act approved the twenty-second day of May, one thousand nine hundred fifty-one, (P. L. 317) entitled "An act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses, subject to appeal, and for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws," by extending the time during which certain persons may make application for licensure without examination.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. KEPHART,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE ART COMMISSION

Frederick A. Muhlenberg, Wernersville, from July 14, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

Robert Watson Schmertz, Pittsburgh, from July 21, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Frank C. Selecky, R. D. No. 3, Shickshinny, Luzerne County, for appointment as Justice of the Peace in and for the Township of Union, Luzerne County, until the first Monday of January 1954, vice John E. Snyder, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Crawford H. Simmers, 1632 Chestnut Street, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of North Cornwall, Lebanon County, until the first Monday of January 1954, to fill a vacancy.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

L. Pat McGrath, Pittsburgh, from January 14, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

H. B. Wood, Wind Ridge, from December 22, 1951, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Thomas M. Reese, Cannonsburg, from December 22, 1951, for the term of four years, and until his successor is qualified.

Walter F. Rhine, Canonsburg, from December 22, 1951, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

METROPOLITAN STUDY COMMISSION OF ALLEGHENY COUNTY

Park H. Martin, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

David H. Kurtzman, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Joseph E. Hutchinson, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

John A. Feigel, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Elmer J. Holland, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

John B. Campbell, Valencia, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Thomas B. Sproul, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Edw. F. Waldschmidt, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Charles A. Kinkaid, McKeesport, from September 11, 1952, until the end of the 1953 session of the General Assembly.

John P. Robin, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Nicholas J. Stabile, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Alfred W. Beattie, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

F. Dewitt Zuerner, Braddock, from September 11, 1952, until the end of the 1953 session of the General Assembly.

Wallace Richards, Pittsburgh, from September 11, 1952, until the end of the 1953 session of the General Assembly.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

Louis J. Conley, Pittsburgh, from January 23, 1952, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF STATE BOARD OF OSTEOPATHIC EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. John H. Warren, 920 North Sixty-third Street, Philadelphia, for appointment as a member of the State Board of Osteopathic Examiners, for the term of four years, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William W. Watkins, Rossville, York County, for appointment as Justice of the Peace in and for the Township of Warrington, York County, until the first Monday of January 1954, vice O. H. Barnes, deceased.

JOHN S. FINE.

MEMBERS OF FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Fulton County Board of Assistance:

Leroy Weiser (Republican), State Route, McConnellsburg, to serve until December 31, 1954, and until his successor is duly appointed and qualified, vice Howard C. Peck, McConnellsburg, resigned.

Clinton Lister (Republican), Knobsville, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Ralph Fraker, Fort Littleton, whose term expired.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES RETREAT STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph W. Shergalis, 473 East South Street, Wilkes-Barre, Luzerne County, for appointment as a member of the Board of Trustees of Retreat State Hospital, for the term

of four years, and until his successor is qualified, to fill a vacancy.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles A. Walker, 200 Ninth Avenue, Collegeville, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Collegeville, Montgomery County, until the first Monday of January 1954, vice Arthur Rasmussen, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert Boocock, Skippack, Montgomery County, for appointment as Justice of the Peace in and for the Township of Skippack, Montgomery County, until the first Monday of January 1956, vice Edward J. McQuaid, resigned.

JOHN S. FINE.

MEMBER OF STATE BOARD OF EXAMINERS OF ARCHITECTS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter Antrim, Architects Building, Philadelphia, Philadelphia County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years, and until his successor is appointed and qualified, vice Edmund R. Purves, Media, resigned.

JOHN S. FINE.

BRIGADIER GENERAL OF THE PENNSYLVANIA NATIONAL GUARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry K. Fluck, Somerset, Somerset County, for appointment as Brigadier General of the Pennsylvania National Guard, to serve until terminated.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert L. Buchanan, 1340 Elk Street, Franklin, Venango County, for appointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January, 1957, and until his successor shall have been appointed and qualified, vice Robert Lamberton, Franklin, deceased.

JOHN S. FINE.

MEMBER OF PENNSYLVANIA FISH COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace Dean, Meadville, Crawford County, for appointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January, 1961, and until his successor is appointed, vice Philip E. Angle, Sharon, whose term expired.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Chester L. Fox, R. D. No. 2, Reynoldsville, Jefferson County, for appointment as Justice of the Peace in and for the Township of Winslow, Jefferson County, until the first Monday of January, 1956, vice Joseph Vetro, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. M. Reed, 99 Third Street, Jeddo, Luzerne County, for appointment as Justice of Peace in and for the Borough of Jeddo, Luzerne County, until the first Monday of January, 1954, vice William T. Howells, deceased.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry J. Hemer, 1727 Indiana Avenue, Monaca, Beaver County, for appointment as Justice of the Peace in and for the Borough of Monaca, Beaver County, until the first Monday of January, 1956, vice Harrison A. Weigle, resigned.

JOHN S. FINE.

MEMBER OF DELAWARE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Christie (Republican), 901 Glenbrook Avenue, Bryn Mawr, Delaware County, for appointment as a member of the Delaware County Board of Assistance, to serve until December 31, 1953, and until her successor is duly appointed and qualified, vice John H. Foster, Wayne, resigned.

JOHN S. FINE.

MEMBER OF WASHINGTON CROSSING PARK COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Mechanicsville, Bucks County, for appointment as a member of the Washington Crossing Park Commission, until the third Tuesday of January, 1955, and until his successor shall have been appointed and qualified, to fill a vacancy.

JOHN S. FINE.

PROTHONOTARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mr. William F. Liljenberg, 1305 Filmore Avenue, Erie, Erie County, for appointment as Prothonotary of the Court of Common Pleas in and for the County of Erie, until the first Monday of January, 1954, vice Lawrence A. Taylor, deceased.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. KEPHART,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 35, on third reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers.

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 156, Printer's No. 74, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 236, as follows:

An Act designating certain banking institutions as additional loan and transfer agents of the Commonwealth and conferring powers and imposing duties upon such institutions and certain State officers with respect thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every banking institution of this Commonwealth and every National Banking Association having its principal office therein which has a combined capital and surplus of at least twenty million dollars ($20,000,000) is hereby appointed as an additional loan and transfer agent of this Commonwealth for all loans bonds or notes of this Commonwealth now outstanding or hereafter issued by this Commonwealth and as such agent is hereby authorized and empowered to issue countersign register and transfer loans bonds and notes of this Commonwealth to keep records of the issuance registration and transfer thereof to receive and disburse payments of principal and interest thereon and to perform all other acts and duties in respect thereof which the other duly authorized loan and transfer agent of the Commonwealth is empowered to perform as directed by existing laws

Section 2 The Governor Auditor General and State Treasurer shall have the power and their duty shall be with respect to all future loans bonds and notes of this Commonwealth to select and designate the particular duly authorized loan and transfer agent to issue and countersign the same but each of the loan and transfer agents of the Commonwealth are hereby authorized to register and transfer the same to keep records of such registration and transfer and to receive and disburse payments of principal and interest thereon The Governor Auditor General and State Treasurer shall fix the compensation and the terms and conditions under which each loan and transfer agent shall perform its agency

Section 3 All acts and parts of acts insofar as they are inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wagner,
Chapman,	Kessler,	Miller,	Walker,
Crowe,	Kopriver, Jr.	Pechan,	Watson,
Dent,	Lane,	Peelor,	Weiner,
Diehm,	Leader,	Propert,	Wolfe,
DiSilvestro,	Madigan,	Ruth,	Wood,
Fleming,	Mahany,	Silvert,	Yosko,
Freed,	Mallery,	Snowden,	

NAYS—1

Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 273, as follows:

An Act fixing the fees and mileage of the Coroner in counties of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the Coroner of each county of the third class shall be as follows

For viewing a dead body twelve dollars ($12) summoning inquest drawing and returning inquisition seven dollars fifty cents ($7.50) swearing jury six dollars ($6) summoning or subpoenaing each witness one dollar fifty cents ($1.50) qualifying witness one dollar ($1) each mile circular traveled to be reconed from Court House to place of viewing body or to inquest ten cents (10¢) executing any process or writs of any kind the same fees as are allowed to the Sheriff and the same mileage.

Section 2 Section XIX of the act approved the twenty-eighth day of March one thousand eight hundred fourteen (P. L. 352) entitled "An act establishing a fee bill" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 168) is hereby repealed as to counties of the third class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 277, as follows:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1614) is hereby further amended to read as follows

Section 13 Establishment of Rentals and Selection of Tenants An Authority may rent or lease dwelling accommodations only to persons of low income and at rentals within their financial reach It may rent or lease to a tenant a dwelling consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof without overcrowding It shall not accept any person as a tenant in any housing project if the person or persons who would occupy the dwelling have an aggregate annual income in excess of six times the annual rental of the quarters to be furnished such person or persons In computing rental for the purpose of selecting tenants there shall be included in the rental the average annual cost as determined by the Authority to the

occupants of heat water electricity gas cooking range and other necessary services or facilities whether or not the charge for such services and facilities is in fact included in the rental Every Authority shall file a schedule of its rental charges for dwelling accommodations with the State Planning Board

Rentals to persons dependent in whole or in part on veterans' benefits public assistance grants or other income payments from government agencies shall not be more than is charged other families of comparable size and income in the immediate locality in which the rental is being received

Nothing contained in this or the preceding section shall be construed as limiting the power of an Authority to vest in an obligee the right in the event of a default by the Authority to take possession of a housing project or cause the appointment of a receiver thereof or acquire title thereto through foreclosure proceedings free from all the restrictions imposed by this or the preceding section

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 496, as follows:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure relating to incompetents' estates" by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (1) and (2) of Section 102 of the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure relating to incompetents' estates" are hereby amended to read as follows

Section 102 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Prothonotary" means the prothonotary of the court of common pleas or the clerk of the orphans' court having jurisdiction

(2) "Court" means the court of common pleas or the orphans' court having jurisdiction of the appointment of the guardian or of the incompetents' estate

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 497, as follows:

An Act to amend the title and Section 302 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom" by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Section 302 of the act approved

the tenth day of August one thousand nine hundred fifty-one (P. L. 1163) entitled "An act relating to the orphans' court conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the proceduure therein the powers and duties of the judges thereof and appeals therefrom" are hereby amended to read as follows

An Act

Relating to the orphans' court conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates conferring concurrent jurisdiction over the administration and distribution of incompetents' estates and the determination of title to real estate in certain cases providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom

Section 302 Concurrent Jurisdiction [Title to Real Estate] The orphans' court shall have concurrent jurisdiction of

[The orphans' court shall have concurrent jurisdiction of the]

(1) Title to Real Estate The determination of the persons to whom the title to real estate of a decedent or of the creator of an estate or trust subject to the jurisdiction of the orphans' court has passed by devise or descent or by the terms of the trust instrument Provided That nothing herein shall be construed to restrict the exclusive jurisdiction of the orphans' court to distribute real estate in an estate or trust within its jurisdiction

(2) Incompetents' Estates The administration and distribution of the real and personal property of incompetents' estates except when the jurisdiction thereof has been acquired by another Pennsylvania court Another court which has acquired jurisdiction of the incompetent's estate may transfer it to the orphans' court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 531, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 203 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 485) is hereby further amended to read as follows

Section 203 Place of Business An association shall not hold any of the regular meetings of its directors grant any loans or transact any business except at [the] a place of business designated in its by-laws but the [collection of dues interest premiums and fines by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the] holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section Any association which prior to the first day of September one thousand nine hundred fifty-three had authorized any corporation or person to collect dues interest premiums and fines in any city borough or township in the Commonwealth other than a place of business of the association as then permitted by this act may continue to collect dues interest premiums and fines in any such communities through any such corporations or persons and may appoint successors in their stead in any city borough or township in the Commonwealth In the event that [the] a place of business designated in the by-laws becomes unavailable the directors may specify another place within the same city borough or township as a temporary place of business

Section 2 Section 204 of said act as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 574) is hereby further amended to read as follows

Section 204 Branch Offices and Sub-Agencies [An] A Except as may otherwise be permitted by this act an association shall not establish maintain or operate either directly or indirectly any branch association branch office agency sub-office sub-agency or branch place of business within this Commonwealth for the holding of the regular meetings of its directors the granting of any loans or the transaction of any part of its business but all of the business of such association shall be carried on solely and exclusively at its principal place of business [The collection of dues interest premiums and fines by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and] but the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section

B Any association which prior to the first day of September one thousand nine hundred fifty-three had authorized any corporation or person to collect dues interest premiums and fines in any city borough or township in the Commonwealth other than a place of business of the association as then permitted by this act may continue to collect dues interest premiums and fines in any such communties through any such corporations or persons and may appoint successors in their stead in any city borough or township in the Commonwealth

C Any association may in the manner provided in this act for and amendment to its articles of incorporation or in pursuance of a plan of merger or consolidation in accordance with the provisions of Article X of this act establish a branch office within the corporate limits of the city borough or township in which its principal place of business is located It may also in the same manner establish a branch office in any other community within the county in which its principal place of business is located or in any place within any county continguous to the county in which its principal place of business is located if the community in which such branch is to be established is without adequate savings and loan facilities or in the case of a merger or consolidation is without adequate savings and loan facilities other than an association which is a party to the plan of merger or consolidation Provided That no branch shall be established under the provisions of this subsection without the approval of the Department of Banking and the Building and Loan Board And Provided further That no such branch shall be established unless the association or the resutling association after a merger or consolidation has aggregate assets of at least one million dollars and aggregate reserves and undivided profits equal to at least five per centum thereof

D Articles of amendment of merger or of consolidation as the case may be the effect of which is to establish a branch shall be subject to all of the requirements prescribed by this act for articles of the same kind generally except that

(1) If the proposed branch is to be established in a county contiguous to the county in which the association's principal place of business is located

(a) Written notice of the intention to file such articles with the Department of State shall be given at least ten days prior to the day on which the articles are to be presented to the Department of State to every association which has its principal place of business in the county in which the proposed branch is to be located such notice to contain all of the statements which are required by this act to be set forth in the advertisement of intention to file articles of the particular kind with the Department of State

(b) The advertisement of intention to file such articles with the Department of State shall appear at least ten days prior to the day on which the articles are to be presented to the Department of State and shall also be inserted one time in a newspaper of general circulation in the county and community in which the proposed branch is to be located and one time in a legal newspaper published in the county in which the proposed branch is to be located and

(c) The advertisement shall set forth a statement that written notice of the intention to file articles with the Department of State has been given to every association which has its principal place of business in the county in which the proposed branch is to be located

(2) In the case of articles of amendment of merger or of consolidation as the case may be effect of which is to establish a branch the Department of Banking shall within sixty days after the receipt of the articles from the Department of State upon the basis of the facts disclosed by the investigation or hearing provided for by this act either approve or disapprove such articles The Department of Banking may in its sole discretion disapprove articles the effect of which is to establish a branch in a county contiguous to the county in which the principal place of business of the association is located if it shall appear as a result of the investigation or hearing provided for by this act that an association having its principal place of business in the county in which the proposed branch is to be located has in good faith notified the Department of Banking of its intention to establish a branch in accordance with the provisions of this act in the same city borough or township in which such proposed branch is to be located

If the Department of Banking shall approve such articles it shall forward them to the Building and Loan Board for review The Building and Loan Board shall after such investigation or hearing as it may deem advisable either approve or disapprove the action of the Department of Banking and shall return the articles to the Department of Banking with notice of its decision and in the case of disapproval with a statement in detail of its reasons for doing so The decision of the Building and Loan Board shall be binding upon the Department of Banking

Immediately upon receipt of the articles from the Building and Loan Board the Department of Banking shall on the basis of the decision of the Building and Loan Board either approve or disapprove them in the same manner as is provided for by this act in the case of articles of the same kind generally

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bane,	Holland,	McCusker,	Stiefel,
Berger,	Kephart,	McMenamin,	Taylor,
Blass,	Kessler,	McPherson, Jr.	Wade,
Chapman,	Kopriver, Jr.	Pechan,	Wagner,
Dent	Lane,	Peelor,	Watson,
Diehm	Madigan,	Ruth,	Wolfe,
Freed,	Mahany,	Silvert,	Wood.
Haluska	Mallery,	Snowden,	Yosko,
Hare,	McCreesh,	Stevenson,	

NAYS—4

Camiel	Fleming,	Walker,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 382 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 382, Printer's No. 100.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 382, on third reading, entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers

and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by merging the State Employes' Retirement Board and the Public School Employes' Retirement Board and establishing within the Insurance Department a joint board known as the State and Public School Employes' Retirement Board

be recommitted to the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 384 CALLED UP FROM POSTPONED CALENDAR

Mr. MAHANY. Mr. President, I call up from the Third Reading Postponed Calendar Senate Bill No. 384, Printer's No. 101.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 384, on third reading, entitled:

An Act to reenact and further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating as a departmental advisory board in the Insurance Department the State Investment Council and prescribing its powers duties and personnel

be recommitted to the Committee on Rules.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 38, entitled:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 42, entitled:

An Act to further amend the act approved the thirteenth day of May, one thousand nine hundred twenty-five, (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting therefrom national service clubs raising funds for child welfare projects from the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating in public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "asstance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 59, entitled:

An Act to further amend Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain aged persons hereafter placed in county homes eligible for assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 83, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion in Harrisburg, Dauphin County, Pennsylvania, with the approval of the Governor.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend Sec. 1, page 2, line 2, by inserting after "Mansion": "and the two plots of land now owned by the Commonwealth and situate at the south-east corner of Front and Maclay Streets, in the City of Harrisburg, Dauphin County, together with the buildings erected thereon."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Sec. 2, page 2, line 3, by inserting after "deed": "or deeds."

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendment:

Amend Sec. 3, page 2, line 7, by striking out "and conveyance" and inserting in lieu thereof: "or sales and conveyances."

It was agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HARE offered the following amendment:

Amend Title, page 1, second line of Title, by inserting after "Mansion": "and two other properties."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous censent that the following bills, on second reading, go over in their order:

Senate Bill No. 247, Printer's No. 280.

Senate Bill No 256, Printer's No. 283, and

Senate Bill No. 257, Printer's No. 284.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 290, entitled:

An Act providing for and regulating the licensing and practice of practical nursing and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 292, entitled:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in contitutional law and government in public private and parochial schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 343, entitled:

An Act exempting owners operators and licensees of radio or television stations and their agents servants and employes from liability for publication of defamatory matter in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 361, Printer's No. 261,
Senate Bill No. 362, Printer's No. 262,
Senate Bill No. 363, Printer's No. 263,
Senate Bill No .364, Printer's No. 264,
Senate Bill No. 365, Printer's No. 265,
Senate Bill No. 366, Printer's No. 266,
Senate Bill No. 367, Printer's No. 267, and
Senate Bill No. 402, Printer's No. 276.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 450, on second reading, entitled:

An Act relating to the establishment and operation of educational television stations conferring powers and imposing duties upon the Department of Public Instruction.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 451, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing certain contracts relating to television.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 452, on second reading, entitled:

An Act to reenact and further amend section four of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing educational television stations.

be placed on the Second Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 480, entitled:

An Act to further amend the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption," by defining certain terms; imposing powers and duties on the Department of Welfare, requiring reports concerning receiving children for adoption, and investigation thereof, changing contents of petition for adoption, providing procedure for the voluntary relinquishment of, and for the finding of abandonment of, certain children; eliminating certain consents to adoption; and further providing for hearings and investigatory powers of the court.

The first, second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 5 (Sec. 4), page 16, line 10 by inserting after "adoption": "of a minor".

It was agreed to.

The section was agreed to as amended.

The sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. DENT. Mr. President and Members of the Senate, there are some other amendments to be offered to this bill. It is the understanding of the Majority Leadership that we are not opposed to the bill as amended at the present time. However, they have granted us permission to amend or propose our amendments on third reading without objection.

Therefore, Mr. President, we will vote for the bill as amended.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 503, Printer's No. 269, and
Senate Bill No. 504, Printer's No. 270.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 523, on second reading, entitled:

An Act to amend Section 4 of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 674), entitled "An act to encourage the making and maintaining of agreements concerning wages, hours, and conditions of employment between employers and employes by their represetatives, and the settlement of controversies concerning the same by mediation and

voluntary arbitration; conferring powers of mediation and arbitration of such controversies on the Department of Labor and Industry," by providing for the taking of a secret ballot in certain cases.

be recommitted to the Committee on Labor and Industry.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 534, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (P. L. 533), entitled "An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and chnaging the laws relating thereto," by permitting temporary restraint of one alleged to be mentally ill.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 537, on second reading, entitled:

An Act reinstating members of the Pennsylvania State Police Force heretofore summarily dismissed

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 544, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the provisions relating to filling of vacancies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 554, Printer's No. 293, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act to further amend the act, approved the eighth day of May, one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city, county, school, and poor taxes within the territorial limits of cities of the second class A; establishing the office of collector of taxes therein; defining its duties and powers; changing the powers of and imposing duties upon cities of the second class A, counties, school districts and poor districts, and the officers thereof; and imposing penalties," by imposing duties on the city controller; and allowing appeals from audits or settlement of accounts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee providing for its membership and defining its powers and duties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Sec. 1, page 2, line 3, by striking out "the Director of the Legislative Reference Bureau; Amend Sec. 1, page 2, lines 4 to 10, by striking out "of the House of Representatives and Senate to be selected" on line 4, all of lines 5 to 9, inclusive, and "in each case" on line 10, and inserting in lieu thereof: "Four of the additional members shall be Senators, two from the majority party and two from the party having the next largest representation, to be appointed by the President pro tempore. The remaining four shall be members of the House of Representatives, two from the majority party and two from the party having the next largest representation, to be appointed by the Speaker."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 607, on second reading, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and pro-

viding penalties," by further defining final salary; changing provisions relating to superannuation retirement and withdrawal; changing provisions for determining amount earnable by members of the General Assembly; authorizing members of the General Assembly to make certain payments into the States Employes' Retirement Fund and secure benefits therefrom.

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 616, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres, more or less, situate in Skippack Township, Montgomery County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 618, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 279), entitled "An act relating to the time and manner of taking exceptions in any case, civil or criminal, in any court of record in this Commonwealth; to the effect thereof; to transcribing the evidence taken upon the trial of any case; to the correction and perfection of such transcript for the purposes of review; and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case," by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 624, entitled:

An Act to amend the act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers farehouses receipts bills or lading other documents of title investment securities and secured transactions including certain sales of accounts chattel papers and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto by adding a sub-section to Section 9-104 thereof excluding from the application of Article 9 of the Act assignments or other transfers of interest or claims in or under any policies of insurance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 779, entitled:

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 970, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1101, Printer's No. 225,

House Bill No. 1152, Printer's No. 298, and

House Bill No. 1267, Printer's No. 258.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 15, entitled:

An Act to amend subsection (d) of Section 7 of the act approved the twenty-second day of May, one thousand nine hundred fifty-one, (P. L. 317) entitled "An act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses, subject to appeal, and for their reinstatement; providing for the annual renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws," by extending the time during which certain persons may make application for licensure without examination.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authorizing erection of parking meters and regulation of parking meter charges providing for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, in studying the budget over the weekend, I discovered something in which I think the Members of the Senate ought to be very much interested. It says that we have at this particular moment lapsed certain taxes in Pennsylvania or, rather, have failed to re-enact certain taxes in Pennsylvania. We have failed particularly to re-enact the former Act No. 109, Postponing Manufacturers' Exemption from Capital Stock and Franchise Taxes.

It is my understanding, Mr. President, after discussing the matter with some of the learned Members on my side, that every month the Commonwealth is losing approximately $1,000,000 in revenue. As I understand it, we are about to recess or go on short rations for three or four weeks. Now, just two weeks ago we had to stay six days in order to pass the emergency tax on real estate transfer.

Mr. President, at that time I asked the question as to whether or not some of the other emergency or temporary taxes would not run out at the same time, at the end of the biennium. Now, as I understand it—and maybe I am in error and if I am I would appreciate being corrected—the following taxes have to be re-enacted before becoming effective for the present biennium:

Act No. 109, Postponing Manufacturers' Exemption from Capital Stock; Act No. 110, Gross Receipts Tax; Act No. 467, which is the Real Estate Transfer Tax that we have already enacted; Act No. 468, Corporate Net Income Tax which is still over in the House; Act No. 470, Corporation Income Tax; and Act No. 478, Insurance Premiums Tax—exemption removed.

Now, Mr. President, if all of these taxes are not in effect at the present time, and whether or not we can make this retroactive is a question that would have to be determined by the legal department, but I am almost convinced in my own nonlegal mind that if we do not place these taxes upon the statute books, any taxpayer would have the right to come in and ask for exemption from that tax for the period between the time that the tax ran out until it was re-enacted.

If that is so, Mr. President, the present revenue muddle we are in would become even more muddled, and we will find ourselves lacking a great deal of revenue that would be necessary to carry on this administration for the next two years.

Mr. President, I am very much disturbed over this particular phase of the revenue problem and the tax problem in the Commonwealth, and believe that the Majority side ought to immediately investigate the question and see whether or not we have been lax in our tax reenactment program in the Commonwealth of Pennsylvania. If anyone has any information, I would like to hear it.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, we, in the Senate, have passed those tax bills which have been sent over to us from the House. I understand that there is not any lapse as far as the Manufacturers' Exemption is concerned. The last time we were about six months late in re-enacting it. The other tax bills, if they have expired and the House has not sent them to us, perhaps they are not figuring on re-enacting one or two of those. However, I believe that as far as the corporation taxes are concerned, we are all right on those and we will not lose any money.

Mr. President, as far as recessing the Legislature for a week or two weeks or what not, as has been rumored, it is our present intention to remain in Session each week until such time as we can adjourn sine die.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, the reason that I called this matter to the attention of the Senate is because a representative of a very large taxpayer of the Commonwealth

of Pennsylvania has intimated to me that they intend to make court action out of the fact that we have failed to pass these taxes.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, that will just give work to the lawyers in the Attorney General's Office.

STATEMENT BY THE CHAIR

The PRESIDENT. The Chair would ask a moment of indulgence on the part of the Members.

I wish to thank the Members of the Senate for the very gracious gesture made toward me in adopting the resolution earlier in the Session which had concealed, shall I say, not too cleverly, a piece of furniture in the Lieutenant-Governor's office which the Lieutenant-Governor, if permitted to escape from the premises at the close of his tenure, will try to sit in in his law office across from the Court House down at Norristown and assimilate all these nice things that the Chaplains have said in their prayers, particularly the Senator from Berks. I love to hear him pray, when he talks about being a friend to man.

Certainly I have been well treated since I have been around here, and I can never repay the many kindnesses that have been bestowed upon me.

Now, before everybody bursts out crying, I will recognize the Majority Floor Leader.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, June 9, 1953, at 1:00 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:16 o'clock p. m., Eastern Standard Time, until Tuesday, June 9, 1953, at 1:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, June 8, 1953.

The House met at 12:00 noon EST.

The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Lord, the strength of all who put their trust in Thee, be with all who are burdened with the responsibility of administering the affairs of the people of this State. Add the illumination of Thy counsel and wisdom to their gifts that they may choose the right. Deliver them from self-love that they may be servants of all. Sustain them in the pressure of daily cares. Give them constancy and stability in the execution of their duties that they may be true Leaders of Thy people; through Jesus Christ our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, Tuesday, Wednesday and Thursday, May 25, 26, 27 and 28, 1953? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Messrs. SPENCER and REIDENBACH.

HOUSE BILL No. 1426.

An Act to further amend the title and Section 1 of the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 176), entitled as amended "An act requiring cities of the second, second A, and third class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days vacation each year, except in emergency cases," by increasing minimum annual vacations.

Referred to the Committee on Cities-Counties-First-Second and Second Class A.

By Mr. HELM. HOUSE BILL No. 1427.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools: amending, revising, consolidating and changing the laws relating thereto," by eliminating compulsory medical examinations of pupils and employees and authorizing voluntary medical examinations.

Referred to the Committee on Education.

By Messrs. RUBIN, MILLER and MATHEWS.

HOUSE BILL No. 1428.

An Act to grant to blind persons through the State Council for the Blind the privilege to operate vending stands and other suitable enterprises in buildings or on other property owned or leased by the Commonwealth or any political subdivision thereof.

Referred to the Committee on State Government.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 13, 352, 354, 462, 796, 815, 954, 1009, 1075, 1077, 1078, 1079, 1212, and 1334.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 13, Printer's No. 144, entitled "An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by changing the poll tax to a Residence tax."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 352, Printer's No. 147, entitled "An Act to further amend the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1433) entitled 'An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto' by further regulating the confinement of juveniles under eighteen years of age."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 354, Printer's No. 21, entitled "An Act to further amend the act approved the seventeenth day of April one thousand nine hundred seventy-six (P. L. 29) entitled 'An act relating to appeals of summary convictions' by extending the time within which appeals may be taken."

JOHN S. FINE.

May 29, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 462, Printer's No. 37, entitled "An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 796, Printer's No. 183, entitled "An Act to amend Section 916 of the act approved the twenty-fourth day of June one thousand

nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth by making it a crime to injure or break television towers wires cables or to interfere with the electrical signals thereof and providing penalties."

JOHN S. FINE.

May 29, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 815, Printer's No. 98, entitled "An Act to reenact the title and reenact and further amend the act approved the twenty-seventh day of December one thousand nine hundred fifty-one (1951-1952 P. L. 1742) entitled 'An act to provide revenue by imposing a State tax relating to certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties' by changing the definition of document and value by increasing the compensation of agents and providing for the payment of premiums on bonds by making further requirements in connection with affidavit of value and extending the provisions of the act for a further limited period of time."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 954, Printer's No. 153, entitled "An Act to further amend Sections 530 and 532 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by regulating terms of persons appointed to offices of commissioner treasurer or controller for unexpired terms."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1009, Printer's No. 188, entitled "An Act to amend section 272 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' by imposing the costs of prosecution in certain cases upon the Pennsylvania Fish Commission."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1075, Printer's No. 140, entitled "An Act to amend Section 1217 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by requiring the Pennsylvania Game Commission to pay certain unrecovered costs of suit."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1077, Printer's No. 154, entitled "An Act to amend Article XI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by providing additional penalties when persons over twenty-one years of age are convicted of certain crimes or attempts to commit such crimes wherein minors under eighteen years of age are involved."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1078, Printer's No. 155, entitled "An act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth' by making it unlawful for any person over twenty-one years of age to corrupt or tend to corrupt the morals of children under eighteen years of age or to aid abet entice or encourage such children in the commission of any crime or to assist or encourage such children in violating a parole or order of court prescribing penalties."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1079, Printer's No. 141, entitled "An Act to amend Subsection (6) of Section 315 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by changing the procedure of reviewing cases where licensese have been revoked of rsident licenses."

JOHN S. FINE.

May 29, 1953

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 29, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1334, Printer's No. 267, entitled "An Act making an appropriation to the State Treasurer for the purpose of paying salaries and

wages of State officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-three and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-three."

JOHN S. FINE.

June 3, 1953

Commonwealth of Pennsylvania:
Governor's Office, Harrisburg, June 3, 1953.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1212, Printer's No. 218, entitled "An Act validating legal instruments executed by fiduciaries without setting forth their fiduciary capacity."

JOHN S. FINE.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

House Bill No. 1100.

An Act to protect the public health as well as the livestock industry of the Commonwealth of Pennsylvania by regulating the business of collecting transporting cooking and feeding garbage to swine providing for renegotiating contracts or parts of such contracts made with persons engaged in such business providing for the licensing of such business and cancellation of such licensing authorizing the Department of Agriculture to promulgate rules and regulations therefor imposing certain duties upon said department and providing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Kent for Mr. WATKINS for today's session only

Mr. Kent for Mr. BOMBERGER for today's session only.

Mr. Kent for Mr. EWING for today's session only.

Mr. Kent for Mr. COOPER for today's session only.

Mr. Ragot for Mr. IDE because of illness.

Mr. Poltenstein for Mr. FLOYD because of illness.

Mr. Jim for Mr. McWHERTER for part of today's session only.

CALL OF THE HOUSE

Mr. JOHNSON. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from McKean, Mr. Johnson, suggests the absence of a quorum. The Sergeant-at-Arms will close the doors of the House. Members will not be permitted to leave during the calling of the House; they will be permitted to enter.

The roll was called and was as follows:

PRESENT—193

Adam,	Glick,	Markley,	Schwartz,
Alexander,	Goodling,	Maxwell,	Scott,
Amarando,	Gramlich,	McCann,	Seyler,
Andrews,	Greenwood,	McCormack,	Shoemaker,
Ashton,	Guss,	McCullough,	Shotwell,
Auker,	Gutendorf,	McDermit,	Smith, W. B.,
Banker,	Guthrie,	McGee,	Snider,
Barkdoll,	Hall,	McInroy,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Boles,	Helm,	Mills,	Stoner,
Bolton,	Hersch,	Monroe,	Strausser,
Boory,	Hewitt,	Moody,	Sucher,
Bower,	Hocker,	Moore,	Taylor,
Breisch,	Hoggard,	Moran,	Thomas,
Breth,	Jenkins,	Moscrip,	Thompson,
Brown,	Jim,	Muldowney,	Toll,
Bucchin,	Johnson,	Munley,	Tompkins,
Buchanan,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Bullen,	Jones, Gran'le E.	Murray, P. G.,	VanSant,
Capano,	Jones, Paul F.,	Musto,	Varallo,
Cianfrani,	Jones, T. H. W.,	Naugle,	Varner,
Cioffi,	Jump,	Needham,	Vaughan,
Clapper,	Kamyk,	Ogilvie,	Wall,
Cochran,	Keller,	Olsen,	Wallace,
Comer,	Kent,	Parlante,	Walsh
Connelly,	Kerlin,	Peifly,	Wargo,
Conner,	Kline,	Peta,	Waterhouse,
Coyle,	Kohl,	Petrosky,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Down,	Kromer,	Polen,	Wheeler,
Downey,	Kubacki,	Poltenstein,	White,
DuBois,	Lafore,	Price,	Whitenight,
Dunn,	Lederer,	Quisenberry,	Willaredt,
Erb,	Leisey,	Ragot,	Williams,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach	Yeakel,
Filo,	Limper,	Richter,	Yetzer,
Flack,	Lippincott,	Rosen,	Young,
Fleischman,	Lopresti,	Rovansek,	Zeitz,
Flynn,	Lovett,	Royer,	Ziegler,
Frost,	Lutty,	Sarraf,	Smith, C. C., Speaker
Gibson,	Maguire,	Schmidt,	
Gleason,	Mahan,		

ABSENT—7

Geer,	Pettigrew,	Schuster,	Wilt,
Mathews,	Rubin,	Verona,	

ABSENT WITH LEAVE—7

Bomberger,	Ewing,	Ide,	Watkins,
Cooper,	Floyd,	McWherter,	

The SPEAKER. One hundred and ninety-three Members having answered to their names, a quorum is present.

Mr. JOHNSON. Mr. Speaker, I move that the House dispense with any further proceedings under the call of the House.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I am in agreement with the motion just made by the Majority Leader, but I would like to have the reading clerk read into the record the names of the Members absent for whom no leave of absence has been requested.

(The names of the absentee Members were read by the reading clerk and were as indicated following the roll on the call of the House.)

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and considerations of House Bill No. 1220, entitled:

An Act adopting the Scribner log rule as the standard log rule for determining the board foot content of saw logs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1296, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1422, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance of special three-day licenses to nonresidents, by increasing the maximum license revocation period for a first offense and allowing appeals from acknowledgements of violations, by eliminating the requirements for tags before shipping raw furs to other states, by increasing the penalty for failure or refusing to stop vehicle or conveyance upon request or signal of an officer in full uniform, and by providing additional penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, we have before us today a very lengthy second reading calendar. We have been informed that it poses quite a printing problem for tomorrow, that is in case of possible amendments and other factors.

Therefore, at this time I am asking that we proceed with the second reading calendar, pass as many of them as possible to third reading with the understanding that once they are on third reading, if there are any amendments to be offered that are controversial, or if the bills are controversial and Members would like to have them amended, we will hold them over until Wednesday for the purpose of amendment on third reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 27, entitled:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 115, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined increasing the maximum aggregate number of officers and men in the State Police Force

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 135, entitled:

An Act to further amend Section 1204 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by giving defendant right to elect to be tried by jury

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 155, entitled:

An Act to further amend Clause (f) of Section 448 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the membership of the advisory Health Board to include one doctor of osteopathy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the withdrawing of deceased candidate's name by the county board of elections in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 223, entitled:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the minimum compensation payable to election officers in third to eighth class counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 301, entitled:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating registration of persons in military service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 407, entitled:

An Act to add clause 9 to subsection (b) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the establishment of speed zones with a sixty miles an hour speed limit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 470, entitled:

An Act to amend subsections (d) and (f) of section 816.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by eliminating the provision which requires trailers and semi-trailers to be equipped with safety glass.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 506, entitled:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting shotfirers to carry approved electric lamps.

The first section was read.

On the question,

Wil the House agree to the section?

Mr. ROVANSEK offered the following amendment:

Amend Sec. 1, (Sec. 14), page 2, line 15, by inserting after the word "shot-firer" the following: "The shot-firer shall turn the electric lamp out when making examinations for gas and he shall examine all places for gas and other dangers before and after firing each shot.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. ROVANSEK offered the following amendment:

Amend Title, page 1, last line of title, by inserting after the word "lamps" the following: "and further prescribing his duties."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 633, entitled:

An Act to provide revenue by imposing a State tax upon sales of tobacco products other than cigarettes; rquiring persons engaged in the sale of tobacco products at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue and persons engaged in the sale of tobacco products at retail or wholesale; and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 672, entitled:

An Act to further amend Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to pivate and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for State payments to approved subleases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 738, entitled:

An Act to further amend Section 28 of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by providing that removal notices may be filed by registered electors moving from one election district to another within the same county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 772, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and

changing the laws relating thereto" by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district and the basis for Commonwealth reimbursements on account of courses for such children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 777, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata township Lancaster County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 806, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land siutate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 834, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for additional assistant county superintendents and supervisors of special education changing the provisions relating to election of county school directors and for supervision over joint school systems when a district having a district superintendent is a party to the jointure and for the election and salary of the district superintendent in such cases and to reenact provisions for the minimum salary of associate superintendents in districts of the third class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 906, entitled:

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1019, entitled:

An Act to further amend Section 222 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the provisions of work-hours and vacations to include employes of state institutions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mrs. MARKLEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1041, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by additional compensation for cooperating teachers supervising student teachers to be paid by the teacher education institution in which the student teacher is enrolled.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1042, entitled:

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said

park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) as amended entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1133, entitled:

An Act to further amend article nine of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safetyregulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that scales used in determining weights of vehicles and loads be tested and approved and authorizing inspectors of weights and measures to make such tests

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. KENT. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by requiring one year of approved hospital internship as an additional requirement for licensure exempting interns from the provisions of the act and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residence training in osteopathis hospitals in Pennsylvania

The first section was read.

On the question,

Will the House agree to the section?

Mr. YOUNG offered the following amendments:

Amend Sec. 1 (Sec. 8), page 6, line 1, by inserting after "an" where it appears the second time: "approved."

Amend Sec. 1 (Sec. 8), page 6, line 12, by inserting after "cases": "shall have at least ten beds per intern."

Amend Sec. 1 (Sec. 8), page 6, line 16, by inserting after "anesthetists": "shall maintain a properly equipped department of roentgenology under the direction of a qualified roentgenologist."

Amend Sec. 1 (Sec. 8), page 6, line 17, by inserting after "physicians": "including at least two osteopathic surgeons."

Amend Sec. 1 (Sec. 8), page 7, line 2, by striking out "by law."

Amend Sec. 1 (Sec. 8), page 7, line 2, by inserting after "with": "other."

Amend Sec. 1 (Sec. 8), page 7, line 3, by striking out "of other schools."

Amend Sec. 1 (Sec. 8), page 7, lines 3 and 4, by striking out "a legally incorporated reputable" and inserting in lieu thereof: "an approved."

Amend Sec. 1 (Sec. 8), page 7, line 5, by inserting before "serving": "while registered with the board and actually."

Amend Sec. 1 (Sec. 8), page 7, line 11, by striking out "temporary."

Amend Sec. 1 (Sec. 8), page 7, line 17, by striking out "residence" and inserting in lieu thereof: "residency."

Amend Sec. 1 (Sec. 8), page 8, line 1, by striking out "temporary."

Amend Bill, page 8, by inserting after line 3 the following:

"Section 2. The first paragraph of Section 11 (b) of the act, as last amended by the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 471), is hereby further amended to read as follows:

"Section 11. (b) Any person licensed to practice osteopathy in this State, and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated, reputable colleges of osteopathy may deliver to the Superintendent of Public Instruction, upon the payment of a fee of one hundred dollars, or such fee as shall be fixed by the Superintendent of Public Instruction, a written application for license, together with satisfactory proof, in such forms as may be required by the Osteopathic Surgeons' Examining Board, that the applicant has served for a period of not less than two years as an interne except that applicants graduated from approved osteopathic colleges after the first day of July, one thousand nine hundred fifty-four, shall serve for a period of not less than one year in any approved osteopathic hospital, which shall have at least ten beds per interne devoted to the treatment of diseases, shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital, and shall maintain a department of anaesthesia consisting of one or more anaesthetists, who shall have supervision over all the anaesthesia given in the institution, and whose duity it shall be to instruct all interns in the administration of anaesthetics. After the first day of July, one thousand nine hundred and forty-one all applicants shall, in addition to the requirements hereinabove set forth, have successfully completed one year of surgical training in some legally incorporated, reputable osteopathic college or osteopathic hospital, or special courses, or training

equivalent thereto, as determined by the Osteopathic Surgeons' Examining Board. In lieu of the three year requirement hereinabove set forth, the applicant may submit proof that he has served for a period of not less than five years as assistant to a surgeon, and in a hospital approved by the Osteopathic Surgeons' Examining Board for such training. The Osteopathic Surgeons' Examining Board shall examine and fix the rating of all osteopathic colleges and hospitals, either chartered under the laws of this Commonwealth or operating therein as relates to surgery only. It shall further be the duty of the board, by inspection or otherwise, to examine and fix the rating of all colleges and hospitals outside this Commonwealth providing osteopathic surgical training under the laws of any particular state whose graduates or internes desire to obtain licensure as osteopathic surgeons in this Commonwealth, but the standards for the approval of osteopathic hospitals in this Commonwealth shall be required in fixing any such rating. The same standard for graduates in medicine shall be used for examination by the Osteopathic Surgeons' Examining Board in the examination of the osteopathic graduates for licenses to practice surgery: Provided, That any person duly licensed as an osteopath, who has had at least five years of actual practice as a surgeon, may be examined by the board without being required to prove that he has had two years' experience or one year's experience after the first day of July, one thousand nine hundred fifty-four as an interne or assistant surgeon in a hospital as hereinbefore provided."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. YOUNG offered the following amendment:

Amend Title, page 2, line 5 from the top of title, by striking out "temporary."

It was agreed to.

The title was agreed to as amended.

On the question,

Will the House agree to the bill on second reading as amended?

Mr. SARRAF. Mr. Speaker, I withheld from asking any questions on the amendments to this bill—we are amending House Bill 1137, I understand.

The SPEAKER. We are on page 17, House Bill 1137, Printer's No. 347.

Mr. SARRAF. Mr. Speaker, I only ask that after this amendment we have ample opportunity to study the bill very carefully. I hope that the individual who amended this will comply with this request.

The SPEAKER. The Chair is informed that the gentleman from Mercer, Mr. Young, thoroughly understands the request of the gentleman.

On the question recurring,

Will the House agree to the bill on second reading as amended.

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1143, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" by requiring the General Assembly to approve the designation of limited access highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1159, entitled:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of county boards of school directors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1203, entitled:

An Act to amend Section 1 of the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by limiting the rate of tax permitted on transfers of title of real property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1210, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres more or less of land situate in the City of Erie Erie County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1211, entitled:

An Act making an appropriation to the Department of Public Instruction for the training of teachers of the deaf

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mrs. MARKLEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by abolishing the Fort Washington Park Commission and transferring its powers and duties to the Department of Forests and Waters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1224, entitled:

An Act to amend subsection (b) of Section 12 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1854), entitled "An act to further amend sections four, three hundred one, five hundred one, five hundred two and six hundred one point one of, and to amend section seven hundred two of, and repeal section three hundred thirteen of, and to add two new sections numbered three hundred two and three hundred three to, the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating special funds in the custody of the State Treasurer; and prescribing penalties, by changing and adding certain definitions; providing for modification of the manner in which employer contribution rates are determined, and, under certain conditions, for the payment by employers of the costs of appeals," by extending credit allowances to successors and assigns of employers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1225, entitled:

An Act to amend Section 23 of the act, approved the twenty-ninth day of September, one thousand nine hundred fifty-one (P. L. 1580), entitled "An act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' by defining and re-defining certain terms; by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence, for reciprocal arrangements with foreign governments, for modification of the manner in which contribution rates are determined and redetermined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments," by extending credit allowances to successors and assigns of employers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

The SPEAKER. For the information of the House, House Bill 1227, Printer's No. 351 has been inadvertently omitted from the calendar by the Printer. The Chair has been informed that this bill will be on the calendar tomorrow.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1265, entitled:

An Act to further amend the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 458) entitled as amended "An act creating as bodies corporate and politic 'Parking Authorities' in cities of the first second second A and third classes boroughs and townships of the first class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates" by defining the rights of lessees of parking facilities extend-

ing the power to lease parking facilities and to exchange properties authorizing temporary bonds and further providing for acquiring property by eminent domain

The first section was read.

On the question,

Will the House agree to the section?

Mr. KRATZ offered the following amendment:

Amend Section 1 (Section 5), page 4, line 16, by inserting after the word "service" and before the word "where" the following: "except the sale of gasoline the sale of automobile accessories automobile repair and service or any other garage service."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1294, entitled:

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Deparement of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1295, entitled:

An Act providing for joint action by the States of Delaware New Jersey and New York and the Commonwealth of Pennsylvania in developing utilizing controlling and conserving the water resources of the Delaware River Basin in order to assure an adequate water supply authorizing the Governor for these purposes to enter into a compact with the States of New Jersey Delaware and New York and to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent thereto creating the Delaware River Basin Water Commission and specifying the powers and duties thereof including the power of eminent domain and the power to finance projects by the issuance of bonds providing for the appointment of the Pennsylvania members of the said Commission approving an integrated water project requiring the Commission to prepare and report plans and specifications for specific projects and requiring certain prior approvals by the Legislatures of the compacting States

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1302, entitled:

An Act providing for the observance of March fifteenth of each year as Charter Day.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1319, entitled:

An Act to further amend Section 106 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in one newspaper in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1343, entitled:

An Act to further amend Section 4 of the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; making it unlawful to possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," by increasing the State tax upon the sale or gift of cigarettes by dealers.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1349, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by regulating reimbursements on account of instruction of kindergarten pupils.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1351, entitled:

An Act regulating the reexamination of tax returns and the imposition of taxes by cities of the second class in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1352, entitled:

An Act to further amend the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 745) entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein providing for its levy and collection for the issuance of mercantile licenses upon the payment of fees therefor conferring and imposing powers and duties on boards of public education receivers of school taxes and school treasurers in such districts saving certain ordinances of council of certain cities and providing compensation for certain officers and employes and imposing penalties" by limiting review of tax returns and imposition of additional taxes in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1353, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1354, entitled:

An Act to reenact and further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting certain vehicles owned by and used exclusively by certain defense organizations from the payment of registration fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1355, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1359, entitled:

An Act to add clause (i) to section one thousand eight hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No 1376, entitled:

An Act to provide revenue by imposing an excise tax payable by those herein defined as manufacturers and bottlers of bottled soft drinks and syrups as herein defined prepared, used, sold transported or delivered within the Commonwealth and by others, requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits, prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1377, entitled:

An Act imposing a tax on the income of unincorporated businesses, trades, occupations and professions; providing for the assessment, collection and lien of said tax; providing for the administration and enforcement of the act by the Department of Revenue; conferring powers and imposing duties on certain persons, fiduciaries, partnerships, associations, officers and departments; and imposing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," by authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending and supplementing the compact or agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented; enlarging the jurisdiction and powers of said commission with respect to the acquisition, construction, administration, operation, and maintenance of port and terminal facilities, the financing thereof, and the fixing, charging and collecting of tolls and other charges for the use of said port and terminal facilities; authorizing the issuance of negotiable bonds and obligations of the commission; providing for the designation of deputies to act for and in behalf of absent ex-officio members of said commission from Pennsylvania; authorizing the combining for financing purposes of any such port and terminal facilities with any bridge or bridges heretofore or hereafter constructed or acquired by said commission; and authorizing the Governor to aply; on behalf of the Commonwealth of Pennsylvania, to the Congress of the United States for its consent to such supplemental compact or agreement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 163, entitled:

An Act to further amend the last paragraph of section five hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177, entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers, and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by electric cooperative corporations.

The first section was read.

On the question,

Will the House agree to the section

Mr. KELLER offered the following amendments:

Amend Section 1 (Sec. 507), page 4, line 6, by striking out the brackets before and after the word "and."

Amend Section 1 (Sec. 507), page 4, line, 6, by striking out the word "and" and inserting in lieu thereof the following: "or if services shall not be available from any of these sources, then for utility services furnished by."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title.

Mr. KELLER offered the following amendment:

Amend title, page 2, by adding at the end of title, after the word "corporations," the following: "in certain cases."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans, as provided by the "World War II Veterans' Compensation Act of 1947."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act to repeal the act, approved the fourteenth day of May, one thousand nine hundred forty-nine (P. L. 1340) entitled "An act requiring political subdivisions to file copies of zoning ordinances, together with maps or plans indicating the area or zones of the political subdivision affected by such ordinances, in the recorder's office; invalidating zoning ordinances heretofore adopted unless copies thereof, together with maps are filed within a certain time; and imposing duties and conferring powers on recorders of deeds," and all acts amending the same, and validating zoning ordinances or amendments thereto of political subdivisions not filed, recorded or indexed as required by law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to repeal the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1531) entitled "An act requiring political subdivisions to file copies of building ordinances in the recorder's office invalidating building ordinances heretofore adopted unless copies thereof are filed within a certain time and imposing duties and conferring powers on recorders of deeds" and all acts amending the same and validating building ordinances or amendments thereto of political subdivisions not filed recorded or indexed as required by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 262, entitled:

An Act to further amend subsection (f) of Section 211.1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," by continuing the provisions of that section in effect for a further period.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 292, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further providing for the types or kinds of insurance business which certain domestic and foreign companies may transact requiring certain domestic companies to amend their charters before transacting such additional kinds of insurance fixing the minimum capital and financial requirements necessary to transact such additional kinds of insurance by both domestic and foreign companies and making such requirements additional conditions to licensure of certain foreign companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 299, entitled:

An Act to amend sections two hundred three and three hundred eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance Companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by changing certain qualifications of incorporators directors and trustees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 302, entitled:

An Act to amend section 308 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associa-

tions, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by enumerating certain types of vacancies occurring in the board of directors of insurance companies and providing for filing thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 304, Printer's No. 289,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An Act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by regulating the covering of open pits and transferring powers and duties to the Secretary of Mines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 327, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, all other assistants and employes of certain departments, boards, and commissions shall be determined," by making the Pennsylvania Historical and Museum Commission a departmental administrative commission in the Department of Public Instruction, and prescribing its powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 329, entitled:

An Act abolishing the Department of Health and transferring its powers and duties to the Department of Health and Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 336, entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, by making changes in the appointment and tenure of the Superintendent of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 338, entitled:

An Act to amend Section 408 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by removing the Superintendent of Public Instruction from membership on the State Council of Education and further regulating appointment of members.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards,

commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Department of Health and Welfare; transferring to it the powers and duties of the Department of Health, Department of Welfare and Department of Public Assistance; providing for a Secretary of Health and Welfare; defining his powers and duties; and abolishing the Department of Health, the Department of Welfare and the Department of Public Assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 349, entitled:

An Act to further amend the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further regulating contracts and funds of such societies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 352, entitled:

An Act to further amend Section 1 of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 1798), entitled "An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same os public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation," by increasing the amounts of payments from the Commonwealth to counties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 410, entitled:

An Act to amend subsection (e) of Section three of the act, approved the nineteenth day of March, one thousand nine hundred fifty-one (P. L. 28), entitled "An act relating to the civil defense of this State and its coordination with national defense providing for the establishment of a State Council of Civil Defense local and district councils of civil defense, Mobile Support Units prescribing the powers, duties and immunities thereof and of their personnel; authorizing mutual aid compacts, and providing penalties," by establishing the State Council of Civil Defense a departmental administrative board within the Department of Military Affairs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 411, entitled:

An Act to repeal the act approved the tenth day of May, one thousand nine hundred thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 412, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other Executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by abolishing the Department of Commerce, and terminating the terms of its officers and employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,
Senate Bill No. 446, Printer's No. 215, and
Senate Bill No. 447, Printer's No. 216,
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 465, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1210) entitled "An act relating to group life insurance describing permitted policies and restrictions thereon the premium basis thereof and rights thereunder limiting the amount of such insurance prescribing standard policy 2532), entitled "An act to establish funds to provide seprovisions and requiring notice of conversion privileges" curity for the payment of benefits in event of the inby increasing the permitted amount of insurance coverage in certin cases

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 489, entitled:

An Act to further amend Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating compulsory attendance of pupils

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeaby to order,
The House proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act to further amend Section 307 and 1501 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for disbursements from the Historical Preservation Fund.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeaby to order,
The House proceeded to the second reading and consideration of Senate Bill No. 518, entitled:

An Act to amend Section 2 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1608) entitled "An act merging and consolidating State housing with State planning merging the State Board of Housing with the State Planning Code and repealing certain acts" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeaby to order,
The House proceeded to the second reading and consideration of Senate Bill No. 519, entitled:

An Act to amend Section 1 of the act, approved the tenth day of June, one thousand nine hundred forty-sveen (Appropriations Acts, page 27, Act No. 19-A) entitled "An act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission," by providing for the transfer of certain appropriations from the Department of Commerce to the Department of Internal Affairs for the use of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeaby to order,
The House proceeded to the second reading and consideration of Senate Bill No. 520, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions shall be determined," by transferring the Pennsylvania Aeronautics Commission from boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, the Department of Commerce to the Department of Internal Affairs and changing the membership of the Commission.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeaby to order,

The House proceeded to the second reading and consideration of Senate Bill No. 521, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certan administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring the State Planning Board from the Department of Commerce to the Department of Internal Affairs and changing the membership of the board.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 522, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by requiring the Department of Internal Affairs and the Department of Highways to conduct certain promotional activities for the Commonwealth.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeaby to order,

The House proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

A Supplement to the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Appropriation Acts page 87) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one," providing for deficiencies in appropriations made to the Department of Welfare by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-three.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeaby to order,

The House proceeded to the consideration on final passage of House Bill No. 347, as follows:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring city treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery forgery or fraud

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. VAN SANT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Lehigh, Mr. Van Sant vote on the third reading of this bill?

Mr. VAN SANT. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. VAN SANT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 7 of the title, by inserting after the word "robbery" and before the word "forgery" the following: "or."

Amend page 1, line 7 of the title, by striking out at the end of the line after the word "forgery" the following: "or fraud."

Amend Section 1, page 2, line 10, by striking out at the end of the line after the word "surety" the following: "and furnish adequate insurance."

Amend Section 1, page 2, by striking out lines 11 to 14, inclusive.

Amend Section 1, page 2, line 15, by striking out at the beginning of the line before the word "to" the following: "or fraud."

Amend Section 1, page 2, line 16, by striking out after the word "direct" and before the word "conditioned" the following: "said fidelity bond to be."

Amend Section 1, page 3, line 2, by striking out after the word "shall" and before the word "account" the following: "keep safe."

Amend Section 1, page 3, line 4, by inserting after the

word "interest" and before the word "The" the following: "The city treasurer shall in addition furnish adequate insurance protection against any and all losses of said funds through fire, burglarly, larceny, theft, robbery or forgery. Such insurance shall be approved by the city council in such sum as it may by ordinance direct."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1217, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the penalty as to speed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The penalty clause of Section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain acts upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

[Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of presecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days]

Penalty Any person violating any of the provisions of this section or violating any other lawfully prescribed maximum limitation upon speed by traveling at the excess rates of speed designated in the following tables in any type of motor vehicle shall upon summary conviction before a magistrate be sentenced to pay the fines prescribed in the following tables for the first and subsequent offenses and for any first second or subsequent offenses suffer suspension of operating privileges for the periods of time indicated in the following tables In default of the payment of the prescribed fines the person sentenced to pay such fine shall undergo imprisonment for not more than five days but such imprisonment shall in no way affect any period of suspension of operating privileges prescribed by the following tables Such offenses shall not be denominated as second subsequent offenses unless committed within a period of three years of the last prior offense but shall be denominated a second or subsequent offense whether or not the first offense and any subsequent offenses were all committed on highways other than the Pennsylvania Turnpike and any extensions thereof or on such turnpike and its extensions

Excessive Speeds on Highways and Roads Except Those Under the Jurisdiction of the Pennsylvania Turnpike Commission

Speeds in Designated Amounts Above Lawful Speed Limits (Given in Miles Per Hour)	Fines	Days of Suspension First Offense	Days of Suspension Second and Subsequent Offenses
1 to 5	$10.00	10	30
6 to 10	$15.00	10	45
11 to 15	$20.00	15	45
16 to 20	$25.00	15	60
21 and over	$50.00	30	90

Excessive Speeds on Roads and Highways under Jurisdiction of the Pennsylvania Turnpike Commission

Speeds in Designated Amounts Above Lawful Speed Limits (Given in Miles Per Hour)	Fines	Days of Suspension First Offense	Days of Suspension Second and Subsequent Offenses
1 to 5	$10.00	10	30
6 to10	$25.00	15	45
11 and over	$50.00	30	90

On the question,

Will the House agree to the bill on third reading?

Mr. SCHMIDT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1002), page 4, line 13 by striking out "suffer suspension of" and inserting in lieu thereof: "the Secretary of Revenue may suspend the."

Amend Sec. 1 (Sec. 1002), page 4, line 14, by inserting after "for" the following: "not more than."

Amend Sec. 1 (Sec. 1002), page 4, line 17, by inserting after "any" the following: "maximum."

The SPEAKER. Will the House give unanimous consent

to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. STIMMEL. Mr. Speaker, to accept these amendments would be to defeat the very purpose of this bill. This would make a "may" bill out of an attempt to eliminate what I consider the faults of our present practice, that is, the discretionary authority of a board.

I believe that by making this a mandated bill with reasonableness, we have herein a good speeding bill, a reasonable one and one that will eliminate the faults of our present system. If we accept these amendments we would defeat the very purpose of this bill and I, therefore, ask the House to vote against these amendments.

Mr. SCHMIDT. Mr. Speaker, I respect very highly the thoughts of the gentleman from Lehigh in his interpretation of the amendment as offered, but I do differ in the conclusion that he has arrived at.

This bill as offered is a great improvement over the situation that now exists. Under the law as it now exists, it is discretionary with the Secretary of Revenue for violation of speeding regulations on the highways to revoke or suspend the operator's license of one who has violated the speeding laws anywhere up to 90 days.

All of you who have had experience along this line know that in the exercise of this discretion there is often abuse of the right of discretion, but this has been safeguarded with the right of appeal to court.

This bill as drawn, with the exception of the part that is amended, is very fine because it says to the Secretary of Revenue that where there has been a violation of the speeding regulation of the Commonwealth of Pennsylvania, you shall for the first offense, if the violation is within a certain number of miles over and above the speed law, impose a certain fine and in addition you shall suspend the operator's license for a period of no more than 10 days in the lowest violation, and so on.

It also provides for increase in revocation or suspension periods for second and third violations.

That part of the bill is absolutely fine, but I still come back to the fact that in any penal violation where there is a penalty there must be discretion, the right of discretion given to the person invoking that penalty, because under various circumstances there may be extenuating circumstances where the full imposition of the penalty as is applied here would be absolutely wrong and do a lot of harm to the person who has been suspended.

There are circumstances under which there are technical violations of the law. People do technically violate the law, and for the first offense or second or even third there should not be the mandatory imposition of a penalty. Just like you do in any court case, you leave a penalty with the court; you give them an area in which they may oppose the sentence, but you leave that discretionary power with the court. The same in this case. I say there should be left with the Department of Revenue, and with the court if an appeal is taken, the right to determine whether or not there has been an abuse of discretion in the exercise of the right of the penalties under this bill.

I say it is a very, very proper method of carrying out penal violations, and we should not deviate from it even though these suspensions may be only for a period of 10 days.

Mr. READINGER. Mr. Speaker, if I spoke as a lawyer today, I should support Mr. Schmidt's position but I find that I cannot do so.

The laws that now exist have created innumerable appeals to the courts on these speeding cases, I think mainly so because instead of exercising discretion, the Secretary of Revenue has for a period of years followed the policy of simply imposing a 90-day suspension on any body who has violated the 50-mile speed limit regardless of any circumstances whatsoever.

This does work a great hardship on many drivers who are, perhaps going 52 miles an hour or 53 on a four-lane highway who depend upon the use of their trucks or their cars for a livelihood. As a result the courts have developed a line of cases in which you can drive anywhere up to 65 miles an hour and still be deemed guilty of only what the courts call a technical violation.

The Supreme Court of Pennsylvania has ruled that hardship itself cannot be the determining factor as to whether or not a suspension should be imposed, but the Supreme Court also has sustained the lower courts who have ruled that certain violations even up to 65 miles an hour are merely technical.

I think it is time that the Legislature does write the policy as to speeding. If you believe that a person should be punished by losing his license for even a short period of time for speeding on our highways, then you should vote for this bill as it is, otherwise you are going to continue the policy of those who can afford to take an appeal to a court, usually having that appeal sustained and no suspension whatsoever is involved.

For a while the local courts, county courts were able to impose—not impose—but make as a condition in sustaining these appeals the imposition of a short-term loss of license. But the Commonwealth took a position, and I think it is correct, that the courts cannot change the amount of suspension. They cannot say instead of 90 days, you will get 30 or 20 or 10 as this bill sets it up in a chart because the courts were not given that authority. All they could do was to determine whether the Secretary of Revenue has violated or abused his discretion and if so, they can strike it down.

This bill clearly will define for all motorists what the penalty is going to be if they violate the speed laws. I think it will have a good effect on motorists. It will stop them from speeding to some extent, and heaven knows we still have too many accidents on the highway and that many of them are caused by speed.

If some man wants to go 75 miles an hour or 65 miles an hour, I think he should be deprived of his license for some time, even though I have represented many of these drivers in court, and in many cases there is a hardship. It is not very pleasant to be without a license for a month or 60 days or 90 days, and I think the law is in a chaotic condition right now.

For example, there were about 27 counties in which the courts were deciding that all the Commonwealth had to do was to show that a driver had violated the 50-mile speed limit and they, the courts, were without any power whatsoever to correct it. That was the case until the Supreme Court decided a case which the Commonwealth took to the Supreme Court, and I happened

to represent the defendant. In that case the court ruled that those other counties were wrong, that the lower courts could set aside those supensions even though the admitted speed was over 50.

I think we should support this bill and get the law in a clear cut manner so that everybody can understand it and everybody is going to suffer the same penalties.

Mr. SCHMIDT. Mr. Speaker, the arguments in opposition to the amendments, of course, do not take into consideration the fact that there are situations where the imposition of even these so-called minor penalties would be severe in themselves.

I can think in my mind now of a situation where someone driving on the highway becomes ill and rushes to the nearest physician or to a comfort station or a situation like that. Now the person could violate the speed law, they go five or ten miles above the speed limit and they would be technically guilty of a speed violation. Under that circumstance no court—not even the Secretary of Revenue—would be in a position to say, "Well, we will ignore this situation. You have been guilty of a violation of the speed law." The penalty must then be imposed and the suspension is valid.

Under the first situation where you are traveling one to five miles above the speed limit, you could be going 52 miles an hour, and it may be your second offense. You may have had a first offense where you actually were wantonly guilty of such a violation. The second offense is a 30-day suspension. The operator of that vehicle may be a truck driver on the highways. It may be his means of livelihood. It may have a very vital effect upon the financial condition of his family, and there may be a situation that would warrant the exercise of some discretion on the part of the Secretary of Revenue or the courts. Under this bill as it is now proposed to be passed there would be no such discretion. The Secretary of Revenue would be compelled to suspend the license and there would be no appeal to the courts of this Commonwealth.

I say it is in derogation of all our ideas of permitting an authority that has the right to impose a penalty on some basis of equity and try to impose a penalty that is just under the circumstances. I have confidence in the Secretary of the Revenue that he will use his discretion and use it rightfully, and if he does not, I feel that there should be the right to take an appeal to the local court from the fact that the Secretary of Revenue did not use his discretion in the exercise of his rights.

Mr. STIMMEL. Mr. Speaker, Mr. Schmidt and I have only an honest difference of opinian on this bill and on this amendment. I feel that what he says is true to a degree, but you must remember we have to write a uniform law. He speaks of extenuating circumstances, and I say that 99.44 percent of the circumstances that are not extenuating are the ones that we have to write into law to take care of those particular circumstances.

Furthermore, we cannot legislate good judgment and common sense. If a person is going to a hospital, or if someone is ill and an officer comes along, certainly that officer out of common sense and good judgment should give that person a police escort and not arrest him.

I believe that on the whole this bill as written will do the best job, will give us the law with reasonableness, one that the public can have a good bit of confidence in and which will not in any way persecute anybody. A man is given a second chance here, and if he is a second violator, I do not have too much sympathy for him.

This has a 3-year write-off period. It does not persecute anyone. I think it is a good bill. I think the amendments should be defeated.

Mr. McCORMACK. Mr. Speaker, I rise at this time to oppose the proposed amendments to this bill. I think the arguments in favor of the amendments concentrate entirely upon the person who has violated the motor vehicle code. I think it is about time we took into consideration the people, the innocent pedestrians and vehicle operators who are being hit by these speedsters. I think where you have legislation, penal legislation especially, or any other type of legislation on a misdemeanor in itself, you do not have to lodge any discretion in the courts. My learned colleague, Mr. Schmidt, has stated previously, I believe, that in any penal legislation there must be discretion.

I would like to say that I differ with him because when you have legislation dealing with the health and welfare, or safety of the peaple of this Commonwealth, to say that there are mitigating circumstances and therefore the violator should not be punished would be to say that you could not have any effective legislation.

I think it is about time, Mr. Speaker, that we crack down on these violators, and make them feel that they are really hurting. That is, take their licenses away. I think the period of time within which the suspension will be effective will not be too much of a hardship. Further, I think if the violators realize that they will lose their licenses for a certain period of time they will endeavor to comply with the speed laws. Thank you.

Mr. READINGER. Mr. Speaker, just one final word on this matter of discretion. I would like to call the attention of the Members of the House to the fact that the law for many years in Pennsylvania has provided for automatic revocation of the license of a driver who is driving under the influence of liquor. There is no discretion at all in anybody. If a person is convicted or pleads guilty to that charge, he loses his license in Pennsylvania for one year.

You and I are familiar with the fact that some individuals will take one or two or three drinks, not suspecting that it will influence them, but they find because of their physical condition or because they are tired, that they are under the influence and they get in trouble and they are convicted or they plead guilty.

Now certainly it is no imposition on the public to say that if you deliberately drive 60 miles an hour, or 65, or 70, in a 50 mile speed limit you shall lose your license for a certain period of time. I think we are being consistent in passing this bill without these amendments.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHWARTZ. Mr. Speaker, there is only one comment I would like to make about the bill. I think the bill generally is a good bill, and a step in the right direction. The only difficulty that I see is the question of the one to five miles, which is the first violation. I

think you are running a little close there because a person doing 51 miles an hour or 52 miles an hour is guilty of a violation under this bill. A fine can be imposed, a suspension can also be imposed.

Now, you drive a car 50 miles an hour, it is a little difficult to realize that you are going 51 or 52. I am serious about this, and I think it should be given further consideration. Perhaps the answer might be to start with five to ten miles over, and give the leeway of the first five miles, because you can see that a lot of difficulties can occur in the enforcement of such a section.

Mr. SCHMIDT. Mr. Speaker, even though the amendments offered by me were not accepted, I feel as I stated before, that this bill is a good deal as it goes. I had hoped that the amendments would be accepted. They would have taken care of the situation suggested by Mr. Schwartz. It would be absolutely impossible to say "Well we won't impose any penalties for one to five miles over the speed limit." If you do that you might as well say then that the speed limit is five miles higher than the actual speed limit. You have to start with the speed limit. Inasmuch as this House has not seen fit to accept the amendments, I ask you to enact the bill as it now stands.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adam,	Glick,	Maxwell,	Scott,
Alexander,	Goodling,	McCann,	Seyler,
Amarando,	Gramlich,	McCormack,	Shoemaker,
Andrews,	Greenwood,	McCullough,	Shotwell,
Ashton,	Gutendorf,	McDermit,	Smith, W. B.,
Banker,	Guthrie,	McGee,	Snider,
Barkdoll,	Hall,	McInroy,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Haudenshield,	Mikula,	Stimmel,
Blair,	Helm,	Miller,	Stone,
Boles,	Hersch,	Mills,	Stoner,
Bolton,	Hewitt,	Monroe,	Strausser,
Bower,	Jenkins,	Moody,	Sucher,
Breisch,	Jim,	Moore,	Taylor,
Breth,	Johnson,	Moran,	Thomas,
Bucchin,	Jones, Geo. E.,	Moscrip,	Thompson,
Buchanan,	Jones, Gran'le E.	Muldowney,	Toll,
Bullen,	Jones, Paul F.,	Munley,	Tompkins,
Capano,	Jones, T. H. W.,	Murray, J. J.,	Toomey,
Cianfrani,	Jump,	Murray, P. G.,	VanSant,
Cioffi,	Kamyk,	Musto,	Varallo,
Clapper,	Keller,	Naugle,	Varner,
Cochran,	Kent,	Needham,	Vaughan,
Comer,	Kerlin,	Ogilvie,	Wall,
Connelly,	Kline,	Olsen,	Wallace,
Coyle,	Kohl,	Parlante,	Walsh
Curwood,	Kolankiewicz,	Peifly,	Wargo,
Davis,	Kornick,	Peta,	Waterhouse,
Dougherty,	Kratz,	Petrosky,	Weidner,
Down,	Kromer,	Pfaff,	Welsh,
Downey,	Kubacki,	Phillips,	Whalley,
DuBois,	Lafore,	Polaski,	Wheeler,
Dunn,	Lederer,	Polen,	White,
Erb,	Leisey,	Poltenstein,	Whitenight,
Farabaugh,	Leonard,	Price,	Willaredt,
Fenrich,	Leven,	Quisenberry,	Williams,
Ferster,	Light,	Ragot,	Wood,
Filo,	Limper,	Readinger,	Worley,
Flack,	Lippincott,	Reidenbach,	Yeakel,
Fleischman,	Lopresti,	Richter,	Yetzer,
Flynn,	Lutty,	Rovansek,	Young,
Frost,	Maguire,	Royer,	Zeitz,
Gibson,	Mahan,	Sarraf,	Ziegler,
Gleason,	Markley,	Schmidt,	Smith, C. C., Speaker
		Schwartz,	

NAYS—10

Auker,	Guss,	Lovett,	Rosen,
Boory,	Harris,	Reagan,	Wescott,
Brown,	Hocker,		

NOT VOTNG—16

Bomberger,	Floyd,	Mathews,	Schuster,
Conner,	Geer,	McWherter,	Verona,
Cooper,	Hoggard,	Pettigrew,	Watkins,
Ewing,	Ide,	Rubin,	Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

AMENDMENTS TO SENATE READING BILLS

The SPEAKER. Are there any Members at this time who have amendments to any bills on today's calendar? In order to expedite our printing problem for tomorrow, with the calendar as large as this, it would save a lot of time if the amendments could be offered to the bills at this time to bills on today's calendar?

DEMOCRATIC CAUCUS

The SPEAKER. There will be a Democratic Caucus immediately following the calling of a recess.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 7:00 p. m. EST. The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 236, 273, 277, 496, 497 and 531.

Resolution for concurrence: Serial No. 139.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

Senate Bill No. 171:

An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule, the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania.

Senate Bill No. 203:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks of investment companies meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of investment companies.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MEMBERS PRESENT

Mr. WILT. Mr. Speaker, I ask for the privilege of being recorded as being present.

Mr. CHUSTER. Mr. Speaker, I wish to be recorded as being present.

Mr. GEER. Mr. Speaker, I wish to be recorded as being present.

The SPEAKER. The gentlemen will be so recorded.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HAUDENSHIELD asked and obtained permission for the Committee on Welfare to meet during the session of the House.

RESOLUTIONS

Mr. LEVEN offered a resolution which was filed with the Clerk.

Mr. STRAUSSER offered a resolution which was filed with the Clerk.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 953, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3001 [Right of] Acquisition of Lands and Buildings Townships may separately or jointly by ordinance dedicate and set apart lands not dedicated to other public uses or purposes and may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks [parkways playgrounds playfield gymnasiums public baths swimming pools or indoor recreation centers hereinafter called recreation places and may borrow money and issue bonds for such purpose The provisions of this section shall not authorize the appropriation of private property outside the township limits nor the appropriation of any property belonging to or used as a cemetery or place of public worship or any public or parochial school or other educational or charitable institution or seminary] recreation areas and facilities

Townships may construct and equip new facilities upon such lands and may levy and collect such taxes or special taxes as may be necessary to pay for the same and make appropriations for the construction improvement maintenance care regulation and government of the same All the costs and expenses relative to any such property acquired by two or more townships jointly shall be paid by the respective townships in such proportions as may be agreed upon by the commissioners thereof

Townships may likewise acquire private property within the limits of another township borough or city for the purpose designated in this section if the other township borough or city shall by ordinance signify its consent thereto

Section 2 Sections 3002 3003 3004 3005 3006 3007 and 3008 of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby repealed

Section 3 Sections 3009 3010 3011 3012 3013 and 3014 of the act as reenacted and amended or added by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) are hereby further amended to read as follows

Section 3009 [Power to Maintain Park and Recreation Boards] Creation of Recreation Board Townships may improve maintain and regulate [recreation places] public parks recreation areas and facilities and conduct recreation programs

The authority to supervise maintain and regulate [recreation places] parks recreation areas and facilities may be vested in any existing body or board or in a park board or recreation board as the township commissioners may determine The township commissioners may equip operate and maintain the [recreation places] parks recreation areas and facilities as authorized by this act and [may] shall for the purpose of carrying out the provisions of this act employ play leaders recreation directors supervisors superintendents or any other officers or employes as they deem proper

If the township commissioners shall determine that the power to equip operate and maintain parks recreation areas and facilities shall be placed in a recreation board such board shall possess all the powers and be subject to all the responsibilities of the commissioners under this article The recreation board shall with the approval of the commissioners exercise its powers and duties in establishing standards policies qualifications and salary schedules for all classifications of recreation employes Whenever boroughs cities counties townships school districts or any of them wish to develop a cooperative plan of recreation service with a township the recreation board shall have the power to adjust the personnel standards policies qualifications and salary schedules as established to meet the terms of a joint operation agreed upon

Section 3010 Composition of Park or Recreation Boards [Appointment and Personnel Of If the township commissioners shall determine that the power to equip operate maintain and regulate recreation places shall be exercised by a park board or recreation board they may establish in said township such park board or recreation board which shall possess all the powers and be subject to all the responsibilities of the township commissioners under this act Such] Park or recreation boards when established shall consist of five or seven persons and when established in a township having a school board two of the members shall be members or appointees of the school board The other members of such boards shall be appointed by the commissioners of such township [except that provision may be made that two of the members of the board may be appointed by the board of school directors of the township] The members of the board shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the [term of one member] terms of not more than two members shall expire annually thereafter Members of such board shall serve without pay [Women shall be eligible for appointment] All persons so appointed shall serve their full terms unless they shall voluntarily resign or be removed by the township commissioners for malfeasance or nonfeasance of duty Vacancies in such board occuring otherwise than by expiration of term shall be filled for the unexpired term in the same maner as original appointments

Section 3011 Organization of Park or Recreation Boards Powers and Duties Delegated to the Board by the Commissioners The members of a park board or recreation

board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this article Such [boards] board shall have power to adopt rules and regulations for the conduct of all business within their jurisdiction Its jurisdiction shall include the right to select employe and discharge all recreation personnel used to carry out the provisions of this article It shall be the duty of the recreation board and its executive to submit an annual report to the township commissioners including an analysis of the community recreation areas facilities and leadership with particular reference to the extent and adequacy of the program and its effectiveness in view of the public expenditure involved and the public needs to be met

Section 3012 [Expenses of Operation and] Maintenance and Tax Levy All expenses incurred in the maintenance and operation of such [recreation places] parks recreation areas and facilities established as herein provided shall be payable from the treasury of such township or borough city county or school district as may be provided for by the agreement of the corporate authorities The township commissioners of such township may annually appropriate and cause to be raised by taxation an amount necessary for the purpose of maintaining and operating the parks recreation areas and facilities and programs The township commissioners may cause to be raised by special taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such township for the purpose of maintaining and operating [recreation places] the parks recreation areas and facilities and the programs thereon

Section 3013 [Joint Acquisition and Maintenance of Public Parks Playgrounds Recreation Centers Et Cetra] Joint Ownership and Maintenance Townships may jointly with cities counties boroughs other townships of either class or any combination or number of such units acquire property for operate and maintain any [recreation places] parks public recreation areas and facilities Any school district may join with the township in equipping operating and maintaining [recreation places] parks public recreation areas and facilities and may appropriate money therefor

Section 3014 Issue of Bonds The township may incur indebtedness and may issue general obligation bonds for the purpose of acquiring lands or buildings for [recreation places] parks and recreation areas and the equipment thereof

Section 4 Article XXX of the act as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby amended by adding after Section 3014 two new sections to read as follows

Section 3015 Plan of Parks Recreation Areas and Facilities Every township shall have a general plan of its parks recreation areas and facilities including those which may have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper officer of the township All subdivisions of property thereafter made shall conform thereto The location of parks recreation areas and facilities laid out and confirmed by the township commissioners shall not afterwards be altered without the consent of the commissioners and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the township until approved by the township commissioners

No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located park or recreation area after the same shall have been located or ordained by the township commissioners.

Section 3016 Lands for Planned Parks and Recreation Areas to Be Appropriated Within Three Years Whenever any park parkway or recreation area may hereafter be superimposed upon the confirmed plan of the streets parks and recreation areas of any township in the sections not entirely built up by ordinance of the township unless an ordinance actually appropriating the land within the lines of said park parkway or recreation area to public use is duly passed by the township commissioners thereof or the land is acquired by the township commissioners within three years from the passage of the ordinance superimposing the plan upon said land said ordinance superimposing the plan upon the land shall be void and of no effect and the plan shall be automatically removed from the land as if it had never been placed thereon nor shall any plan again be superimposed on the land without an accompanying ordinance condemning it to public use

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gleason,	Mahan,	Schuster,
Alexander,	Glick,	Markley,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boles,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Toll,
Buchanan,	Johnson,	Munley,	Tompkins,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Paul F.,	Musto,	Varallo,
Cioffi,	Jones, T. H. W.,	Naugle,	Varner,
Clapper,	Jump,	Needham,	Vaughan,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peifly,	Wargo,
Coyle,	Kline,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Farabaugh,	Leisey,	Ragot,	Williams,
Fehrich,	Leonard,	Readinger,	Wilt,
Ferster,	Leven,	Reagan,	Wood,
Filo,	Light,	Reidenbach,	Worley,
Flack,	Limper,	Richter,	Yeakel,
Fleischman,	Lippincott,	Rosen,	Yetzer,
Flynn,	Lopresti,	Rovansek,	Young,
Frost,	Lovett,	Royer,	Zeitz,
Geer,	Lutty,	Sarraf,	Ziegler,
Gibson,	Maguire,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,
House Bill No. 1007, Printer's No. 361,
was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,
House Bill No. 151, Printer's No. 285,
was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 562, as follows:

An Act to amend Sections 7 and 8 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by changing the provisions relating to preparation rooms

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 7 and 8 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" are hereby amended to read as follows

Section 7 Restrictions Preparation Room Original licenses under this act (1) shall be granted only to individuals (2) shall specify by name the person to whom it is issued and (3) shall designate the particular place approved by the board at which the profession of funeral directing shall be carried on [A] Except as herein provided a license authorize the conduct of the profession at the particular place of practice so designated and no other and only by the particular person designated A licensed funeral director may move to a new place of practice which shall be registered with the board

After the thirty-first day of [August] July one thousand nine hundred [fifty-two every place in which the profession of funeral directing is carried on shall include a preparation room] fifty-three every licensed funeral director shall have at his place of business a preparation room or shall have the use of the preparation room of another funeral director with whom he has made satisfactory arrangements Each licensed funeral director not having his own preparation room shall before using the preparation room of another funeral director file with the board an affidavit stating (1) the name and address of the funeral director whose preparation room he intends to use and (2) the terms of the agreement on which such use is based All preparation rooms shall be constructed in accordance with sanitary standards prescribed by the board for protection of the public health No food shall be served to the public in any place in which the profession of funeral directing is carried on

Section 8 Conduct of Business [Only] Except as provided in section seven of this act in regards to the use of preparation rooms only one license shall be granted to or held by an individual but two or more licensed funeral directors may operate a joint or partnership business at one place only if the buisness is conducted under the names of all such licensed funeral directors No funeral director granted an original license under this act shall conduct practice under any other name than the name appearing on his license No person not licensed under this act shall have any interest in the practice carried on by a licensed funeral director Upon the death of a licensee the board in its discretion may issue a license and renewal thereof to his estate only for a period not exceeding three (3) years or widows of deceased licensees as long as they remain unmarried The practice carried on by a licensee's estate or widow shall be under the supervision of a licensed funeral director employed on a full time basis who shall not conduct any other funeral business in his own name nor be directly or indirectly connected with any other funeral establishment

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. SCOTT. Mr. Speaker, it has come to my attention that many of the Members of this House are apprehensive that the effect of House Bill 562 would be to lower the sanitary and health standards of the profession of funeral directing. I would like to assure the membership that those fears are unfounded, that that will not be the effect of House Bill 562.

Before the 1951 Session of the General Assembly it was possible under the law for one funeral director who did not have a preparation room to lease or borrow the preparation room of a funeral director who had such a preparation room. Then in the 1951 session of the Legislature we passed an Act which included the words that every licensed funeral director would be required to have a preparation room. Also in that Act was the requirement that the preparation room of the funeral director be made and kept in accordance with certain sanitary and health requirements as might be set up by the Board.

All House Bill 562 does is to change that requirement to allow a funeral director who does not have a preparation room—it allows that man to borrow or lease the preparation room of a funeral director who does have such a preparation room. But the bill and the law still will be that a preparation room which is in existence must meet certain sanitary and health requirements as set up by the Board.

You may ask why do we change the law; why should we change the law; why not leave it as it is? That is a fair question. During the past few months the Federal Directors' Board has been having investigators out on the road investigating to see if all the funeral directors of the Commonwealth are complying with the law, and they are citing those men who do not have preparation rooms.

There are evidently two classes of men who are coming into this category. First of all there is the older funeral director who has been in the profession for a good many years and for one reason or another has never had a preparation room built. He may have a chapel, he may have a funeral home, but for one reason or another he just does not have a preparation room.

Now, to make that man at this time spend thousands of dollars of money to build a preparation room, to my mind would create quite a hardship.

The second class of men are young men who are just

graduating from school and who are becoming licensed funeral directors. A lot of those men do not have the money available to build or prepare a preparation room, and those men will have their licenses taken away from them until they can comply with the Act. There is nothing wrong, in my mind, in allowing the man who does not have a preparation room to borrow the preparation room of another funeral director, as long as that preparation room meets certain sanitary and health requirements Because a hardship is being created for a number of the citizens of our Commonwealth, because it will not lower the sanitary requirements, or the sanitary standards of the funeral directing profession, I would like to ask the membership of this House to vote in favor of House Bill 562.

Mr. LEONARD. Mr. Speaker, I am not an undertaker, and know nothing about it, but I do know that death in the family is a serious matter, and no funeral director can be too careful in taking and seeing that everything is carried out in the proper way to lessen the feelings as much as possible. I stand before you against this bill at the advice of all of the undertakers of Allegheny County.

Mr. GRANVILLE E. JONES. Mr. Speaker, I wish to speak on House Bill 562, on today's calendar.

House Bill 562 omits Sections 7 and 8 of the present Act 522, approved January 14, 1951. This bill changes provisions relating to the preparation room.

Under Section 7, page 3, line 9, every licensed funeral director shall have at his place of business, a preparation room, or shall have the use of the preparation room of another funeral director with whom he has made satisfactory arrangements.

Line 11, each funeral director not having his own preparation room shall file with the Board an affidavit stating the name of, the address of, the funeral director whose preparation room he intends to use.

Section 8 provides for the conduct of business as of Section 7 for the use of the preparation room only. The Board has cited two funeral directors to show cause why their licenses should not be suspended.

There are several licensed men and women working in some of the outstanding establishments that have heir own chapels but have no preparation room, so they use the preparation room of their employers. Some are not able to raise or spend the money to set up a preparation room as required by the law passed in the 1951 Session.

I will read the letter of one of the individuals who has been cited. The letter is addressed to me.

> Dear Sir: I wish to solicit the support of your colleagues and yourself in the passage of House Bill 562. This Bill is important to the less fortunate funeral directors in this state who are not financially able to meet the requirements of the present act, and whose business does not warrant the outlay of so much money.
>
> Hoping that you will meet with some measure of success, I am, Yours Sincerely, (s) Mr. Haley.

I have another letter of another individual being cited:

> I would appreciate sincerely your efforts in having House Bill 562 passed in the Legislature. This would, indeed, be an advantage to me as I have been a funeral director for many years and depend solely on the income from this business for a living. Respectfully Yours, (s) Mr. William M. Melburn.

Another letter—

> I am writing in regards to House Bill 562, pertaining to the funeral directors using other funeral directors' morgues, which is known as a preparation room for embalming purpose. I would appreciate very much if you could encourage the passing of this bill. Yours Sincerely, William H. Brown.

Some of these folks cannot get the zoning permits to complete a modern preparation room to their home or house. This means because of this fact the State Board must cite them because of not having met with the requirements of the law. They may not be able to go out and buy another home. This is encroaching on their constitutional rights. After making sacrifices to merit a license to practice then the Board shall suspend them until they can become activated again.

If they shall never get the money and the permit to meet this condition then they shall never see their license again.

Mr. Speaker, I ask that this bill be passed in all sincerity, and help to maintain the livelihood of those men who have been struggling, those who are making a livelihood for their families, I ask the Members of the House to support this bill.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Carbon, Mr. Scott.

The SPEAKER. Will the gentleman from Carbon, Mr. Scott, permit himself to be interrogated?

Mr. SCOTT. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I would like to ask the sponsor if he did not support Act 522 during the last Session of Legislature.

Mr. SCOTT. In reply to that, Mr. Speaker, I would say that I not only supported it, I also sponsored it.

Mr. FILO. Mr. Speaker, can the gentleman tell me just how many men or members of the funeral profession have not complied with Act 522 and desire this legislation?

Mr. SCOTT. Mr. Speaker, I do not quite understand the question. Have not complied with the Act in what regard?

Mr. FILO. Mr. Speaker, with regard to having an embalming room at their establishment.

Mr. SCOTT. No, Mr. Speaker, I do not have any figures to give the gentleman as to how many men there are in the business of funeral directing who do not have preparation rooms and who are being cited by the Board.

Mr. FILO. Mr. Speaker, can you give me an estimate, a number, it it around 10 or 20 or 50 or 100 or more?

Mr. SCOTT. I have no knowledge of that whatsoever, Mr. Speaker.

Mr. FILO. Well, why would the gentleman sponsor such legislation if this only makes a certain change?

Mr. SCOTT. I would say, Mr. Speaker, that if there were only one member of the funeral directing profession in all of the Commonwealth of Pennsylvania who did not have a preparation room and if the Act itself was a hardship on him, that would be justification for sponsoring this piece of legislation.

Mr. FILO. Mr. Speaker, while I agree with Mr. Scott that this bill would not lower the standards of the profession of the funeral directors, I feel that they have

caused by the passage of Act 522 a certain hardship on a number of funeral directors whom I know.

In my district in Allegheny County I can say that the Funeral Directors Association and the members of the Board have done a wonderful job back home in complying with Act 522. I personally have a man working under me who went and borrowed over $2,000 to put an embalming room in his funeral home. That really was a hardship on this man, and I am pretty sure that everyone in Allegheny County has complied with Act 522. Why we are here passing Act 562 for just a certain few is beyond my comprehension.

I feel that there was an adequate time limit for all these funeral directors to have such an embalming room on their establishment. The gentleman from Carbon states that there have been undertakers in the funeral profession for numbers and numbers of years who failed to qualify concerning the embalming room in their establishments. I cannot for the life of me see what these fellows have been doing all this time.

If you are going to make Acts and break Acts again, I do not see where the funeral directors' profession is going to get ahead anytime, and I feel that this is an unjust piece of legislation to those members of the profession who have done a good job and complied with Act 522.

Mr. GUSS. Mr. Speaker, when I came to this Legislature on the 6th of January, 1953, I was a country undertaker. The folks in this House saw fit to pass me from a country undertaker to a funeral director which I now enjoy. That business I have been in for the past 30 years.

In reference to Mr. Scott's statement about the change that would require the building of a preparation room, that is minor if he has the chapel.

If we are going to lower the dignity of the profession, it is just too bad.

Mr. PAUL F. JONES. Mr. Speaker, I have in mind any number of young students who have just recently completed their courses in this particular field in Allegheny County. They have not reached that status financially where they can afford to have their own embalming rooms. I take it that under the law now if they do use a room that is properly under the supervision of the state, that meets the state's requirements, that the interest we as Members of the House have in their having an embalming room has been satisfied.

It is the same thing as saying to a man who happens to be in my profession: "Young man, although you have graduated from law school and you have passed the Bar, if you are not able to set up a library of your own, you are prevented from going and using the library of a fellow lawyer."

I cannot follow the reasoning behind the opposition to this bill. I know for a fact in actual practice, undertakers borrow hearses. In communities where they cannot afford a large fleet of funeral cars, they exchange them. There is nothing wrong about that.

I know of any number of cases where doctors have come out of the hospitals who are graduates and who are not financially able to set up their own X-ray and operating rooms, but if there is another doctor who wants to give them a start, he will open the door to them.

I do not know why we cannot have that differentiation on the part of the undertakers. This to my mind seems to me to try to discourage those fellows who are trying to get a start. In behalf of those who do not have the money to afford a room, but who are otherwise qualified and who have met the requirements of the state, I think they ought to be permitted to pursue their occupation and their profession.

Mr. WILLIAM B. SMITH. Mr. Speaker, what I was going to say was covered pretty well by Mr. Jones. However, there are quite a few boys who called me in regard to this bill who were about to come out of school and go into business.

I made it my business to talk to two or three of the undertakers down the valley where I come from, and they told me they were perfectly willing to have these boys come in and they would help them. They would lend them their garage or anything they might need.

I think if we do not pass this bill, we are going to make it awfully hard for these boys to get started. I do not think we should do that. I think we should help them. A lot of these boys are GI's, and they deserve all the help we can possibly give them. I would like to see this bill pass.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—99

Alexander,	Hamilton, R. K.,	Maguire,	Schwartz,
Amarando,	Harris,	McCormack,	Scott,
Andrews,	Helm,	McDermit,	Smith, W. B.,
Auker,	Hersch,	McGee,	Stank,
Baumunk,	Hocker,	Mihm,	Stone,
Bear,	Hoggard,	Mikula,	Stoner,
Bower,	Johnson,	Miller,	Strausser,
Capano,	Jones, Gran'le E.	Monroe,	Taylor,
Cianfrani,	Jones, Paul F.,	Moody,	Thomas,
Clapper,	Jones, T. H. W.,	Muldowney,	Toll,
Cochran,	Jump,	Munley,	Toomey,
Comer,	Kent,	Needham,	Varallo,
Connelly,	Kerlin,	Ogilvie,	Vaughan,
Conner,	Kline,	Olsen,	Wall,
Coyle,	Kohl,	Parlante,	Wargo,
Davis,	Kolankiewicz,	Peta,	Waterhouse,
Dougherty,	Kratz,	Petrosky,	Weidner,
Fenrich,	Kubacki,	Pfaff,	Welsh,
Flynn,	Lafore,	Polen,	Wescott,
Frost,	Lederer,	Poltenstein,	White,
Geer,	Leven,	Readinger,	Willaredt,
Glick,	Limper,	Reagan,	Williams,
Gramlich,	Lippincott,	Richter,	Zeitz,
Guthrie,	Lovett,	Rosen,	Smith, C. C.,
Hall,	Lutty,	Schmidt,	Speaker

NAYS—77

Adam,	Gleason,	McInroy,	Snider,
Ashton,	Greenwood,	Metz,	Stevenson,
Banker,	Guss,	Moore,	Stimmel,
Barkdoll,	Hamilton, W. H.,	Moscrip,	Sucher,
Bazin,	Hewitt,	Murray, J. J.,	Thompson,
Blair,	Jenkins,	Murray, P. G.,	Tompkins,
Boory,	Jim,	Musto,	VanSant,
Brown,	Kamyk,	Naugle,	Walsh
Bucchin,	Keller,	Peifly,	Whalley,
Buchanan,	Kornick,	Phillips,	Wheeler,
Bullen,	Kromer,	Polaski,	Whitenight,
Cioffi,	Leisey,	Price,	Wilt,
Down,	Leonard,	Quisenberry,	Wood,
Downey,	Light,	Ragot,	Worley,
DuBois,	Lopresti,	Rovansek,	Yeakel,
Erb,	Mahan,	Royer,	Yetzer,
Filo,	Markley,	Sarraf,	Young,
Fleischman,	McCann,	Schuster,	Ziegler,
Gibson,	McCullough,		

NOT VOTING—31

Boies,	Ewing,	Ide,	Rubin,
Bolton,	Farabaugh,	Jones, Geo. E.,	Seyler,
Bomberger,	Ferster,	Mathews,	Shoemaker,
Breisch,	Flack,	Maxwell,	Shotwell,
Breth,	Floyd,	McWherter,	Spencer,
Cooper,	Goodling,	Mills,	Varner,
Curwood,	Gutendorf,	Moran,	Verona,
Dunn,	Haudenshield,	Pettigrew,	Wallace,
		Reidenbach,	Watkins,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection

House Bill No. 574, Printer's No. 221 and

House Bill No. 643, Printer's No. 235,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 649, as follows:

An Act to amend subsection (g) of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by providing that persons with fifteen or more years of experience as apprentices shall pass an examination based on practical experience only

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (g) of Section 3 of the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" is hereby amended to read as follows

Section 3 Application for License Qualifications of Applicants

* * * * *

(g) Any person applying for examination and licensure before the first day of January one thousand nine hundred fifty-three may offer in lieu of the foregoing educational requirements fifteen or more years' experience as an apprentice to a licensed undertaker or funeral director and such person until he shall have taken and passed [the] an examination based on practical experience only shall be considered a resident trainee

Any person having the qualifications prescribed by subsection (b) of this section registered as a student apprentice under the provisions of existing law or enrolled as a student in a school of embalming prior to the effective date of this act and who has continuously thereafter served as a student apprentice or continued his studies in a school of embalming or either shall be entitled to take the examination for license to practice as a funeral director after he has had practical experience in the business or profession of funeral directing for two years continuously as a resident trainee and has completely embalmed at least twenty-five (25) bodies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. GRANVILLE E. JONES, AMARANDO and MORAN.

The roll was verified and was as follows:

YEAS—86

Adam,	Geer,	McGee,	Schuster,
Alexander,	Glick,	McInroy,	Schwartz,
Andrews,	Hall,	Mihm,	Scott,
Auker,	Hamilton, R. K.,	Mikula,	Smith, W. B.,
Baumunk,	Harris,	Miller,	Spencer,
Bazin,	Hersch,	Monroe,	Stank,
Bear,	Jones, Paul F.,	Muldowney,	Stone,
Beory,	Jump,	Munley,	Strausser,
Bucchin,	Kohl,	Needham,	Taylor,
Capano,	Kolankiewicz,	Olsen,	Toll,
Cianfrani,	Kratz,	Parlante,	Toomey,
Cochran,	Lafore,	Peta,	Varallo,
Comer,	Lederer,	Petrosky,	Vaughan,
Connelly,	Leven,	Pfaff,	Wall,
Conner,	Limper,	Phillips,	Waterhouse,
Coyle,	Lippincott,	Polen,	Welsh,
Dougherty,	Lopresti,	Poltenstein,	White,
Fenrich,	Lovett,	Readinger,	Williams,
Ferster,	Lutty,	Richter,	Yetzer,
Flack,	Maguire,	Rosen,	Zeitz,
Flynn,	McCormack,	Sarraf,	Smith, C. C., Speaker
Frost,	McDermit,	Schmidt,	

NAYS—87

Amarando,	Gutbrie,	Markley,	Snider,
Ashton,	Hamilton, W. H.,	McCann,	Stevenson,
Banker,	Helm,	McCullough,	Stimmel,
Barkdoll,	Hewitt,	Metz,	Stoner,
Brown,	Hocker,	Moody,	Sucher,
Buchanan,	Jenkins,	Moore,	Thomas,
Bullen,	Jim,	Moran,	Thompson,
Cioffi,	Johnson,	Moscrip,	Tompkins,
Clapper,	Jones, Gran'le E.	Murray, J. J.,	VanSant,
Davis,	Jones, T. H. W.,	Murray, P. G.,	Walsh
Down,	Kamyk,	Musto,	Wargo,
Downey,	Keller,	Naugle,	Weidner,
DuBois,	Kent,	Ogilvie,	Whalley,
Erb,	Kerlin,	Peifly,	Wheeler,
Filo,	Kornick,	Polaski,	Whitenight,
Fleischman,	Kromer,	Price,	Willaredt,
Gibson,	Kubacki,	Quisenberry,	Wilt,
Gleason,	Leisey,	Ragot,	Wood,
Goodling,	Leonard,	Rovansek,	Worley,
Gramlich,	Light,	Royer,	Yeakel,
Greenwood,	Mahan,	Shotwell,	Young,
Guss,			Ziegler,

NOT VOTING—34

Blair,	Dunn,	Kline,	Rubin,
Boies,	Ewing,	Mathews,	Seyler,
Bolton,	Farabaugh,	Maxwell,	Shoemaker,
Bomberger,	Floyd,	McWherter,	Varner,
Bower,	Gutendorf,	Mills,	Verona,
Breisch,	Haudenshield,	Pettigrew,	Wallace,
Breth,	Hoggard,	Reagan,	Watkins,
Cooper,	Ide,	Reidenbach,	Wescott,
Curwood,	Jones, Geo. E.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS PASSED OVER

There being no objection

House Bill No. 651, Printer's No. 204,

House Bill No. 811, Printer's No. 94,

House Bill No. 812, Printer's No. 95,

House Bill No. 813, Printer's No. 96,

House Bill No. 814, Printer's No. 97 and

House Bill No. 816, Printer's No. 99,
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 822 as follows:

An Act to amend sections 5 and 6 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by increasing the amount of the contributions to be made by the officers and employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 5 and 6 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" are hereby amended to read as follows

Section 5 The officers and employes of any city creating such fund and board shall upon the acceptance of this act pay unto said board monthly an amount equal to [three (3)] five (5) per centum of their monthly salaries or wages except as hereinafter provided concerning laborers which shall be applied to the purpose of this act

If any compensation be granted to a person who has not been a contributor to the fund as herein provded for an aggregate period of twenty (20) years such person shall be required to pay unto the board for the benefit of the fund monthly an amount equal to [three (3)] five (5) per centum of his compensation until such time as his contribution shall have been extended to a period of twenty years (20) years

If for any cause any person contributing to the fund who has served less than than twelve (12) years shall cease to be in the service of the city he shall become entitled to the total amount of the contributions paid into the fund by him without interest Any person who has served for a perod of less than twenty (20) years and who has not reached the age of fifty-five (55) years and who voluntarily retires from such service shall be entitled only to the return of his total contributions to the fund without interest

If for any cause any person contributing to the fund shall cease to be in the service of any city before he shall have become entitled to any compensation the total amount of the contributions paid into the fund by him shall be refunded in full without interest Provided however If any such person shall have returned to him the amount contributed as aforesaid and shall afterwards re-enter the service of the city he shall not be entitled to the compensation designated unless he shall return to the fund the amount withdrawn in which event the required period of service under this act shall be computed from the time he first entered the service of the city otherwise the date of his period of service shall commence upon re-entry In the event of the death of any person after he becomes entitled to any compensation and has not elected to retire the total amount of contributions paid into the fund by him shall be paid over to his estate without interest

Section 6 No person holding a position in any city as a laborer at a per diem wage shall be compelled to pay or contribute toward the fund herein provided for but he shall have the option or choice of so doing and shall only upon electing to contribute to the fund become entitled to the compensation provided by this act Provided however That he shall be required to contribute [three (3)] five (5) per centum of his wages and the same percentage upon any amount of compensation he receives after his retirement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adam,	Goodling,	Maxwell,	Schwartz,
Alexander,	Gramlich,	McCann,	Scott,
Amarando,	Greenwood,	McCormack,	Seyler,
Andrews,	Guss,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Snider,
Barkdoll,	Hall,	McInroy,	Spencer,
Baumunk,	Hamilton, W. H.,	Metz,	Stevenson,
Bazin,	Harris,	Mihm,	Stimmel,
Bear,	Haudenshield,	Mikula,	Stone,
Blair,	Helm,	Miller,	Stoner,
Boies,	Hersch,	Mills,	Strausser,
Bolton,	Hewitt,	Monroe,	Sucher,
Boory,	Hocker,	Moody,	Taylor,
Bower,	Hoggard,	Moore,	Thomas,
Breisch,	Jenkins,	Moran,	Thompson,
Breth,	Johnson,	Moscrip,	Toll,
Buchanan,	Jones, Geo. E.,	Muldowney,	Tompkins,
Bullen,	Jones, Gran'le E.,	Munley,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, J. J.,	VanSant,
Cioffi,	Jones, T. H. W.,	Murray, P. G.,	Varallo,
Clapper,	Jump,	Musto,	Varner,
Cochran,	Kamyk,	Naugle,	Vaughan,
Comer,	Keller,	Needham,	Wall,
Connelly,	Kent,	Ogilvie,	Wallace,
Coyle,	Kerlin,	Olsen,	Walsh,
Curwood,	Kline,	Peifly,	Wargo,
Davis,	Kohl,	Peta,	Waterhouse,
Dougherty,	Kolankiewicz,	Pfaff,	Weidner,
Down,	Kornick,	Phillips,	Welsh,
Downey,	Kratz,	Polaski,	Wescott,
DuBois,	Kromer,	Polen,	Whalley,
Dunn,	Kubacki,	Poltenstein,	Wheeler,
Erb,	Lafore,	Price,	Whitenight,
Farabaugh,	Lederer,	Quisenberry,	Willaredt,
Fenrich,	Leisey,	Ragot,	Williams,
Ferster,	Leonard,	Readinger,	Wilt,
Filo,	Leven,	Reagan,	Wood,
Flack,	Light,	Reidenbach,	Worley,
Fleischman,	Limper,	Richter,	Yeakel,
Flynn,	Lippincott,	Rosen,	Yetzer,
Frost,	Lopresti,	Rovansek,	Young,
Geer,	Lutty,	Royer,	Zeitz,
Gibson,	Maguire,	Sarraf,	Ziegler,
Gleason,	Mahan,	Schmidt,	Smith, C. C., Speaker
Glick,	Markley,	Schuster,	

NAYS—13

Ashton,	Capano,	Jim,	Petrosky,
Brown,	Conner,	Lovett,	Smith, W. B.,
Bucchin,	Hamilton, R. K.,	Parlante,	Stank,
			White,

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is happy to present to the House a former Member of the House who is now a Judge in the Court of Common Pleas in Allegheny, Honorable Samuel Weiss. He has with him a guest, a Judge from the same Court, Judge Henry O'Brien.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 833, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing annual assessments in lieu of triennial assessment for cities of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as renacted revised and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended by adding after section 2521 a new section to read as follows

Section 2522 The council may by ordinance provide for annual assessments for taxation purposes in lieu of the triennial assessments provided for in the act herein amended In such case the ordinance shall require the assessor to make or cause to be made each year a full just equal and impartial assessment of all property taxable according to the laws of the Commonwealth for county purposes and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same

If council adopts an annual system of assesments as herein provided for the assessments revision of assessments notices to and appeals by interested parties shall in so far as applicable be the same as provided by law when triennial assessments are made

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. WALSH, MORAN, and GRANVILLE E. JONES.

The roll was verified and was as follows:

YEAS—128

Adam,	Gleason,	Lutty,	Shoemaker,
Andrews,	Goodling,	Mahan,	Shotwell,
Ashton,	Gramlich,	Markley,	Smith, W. B.,
Auker,	Greenwood,	McCullough,	Snider,
Banker,	Guthrie,	McDermit,	Spencer,
Barkdoll,	Hall,	McInroy,	Stevenson,
Baumunk,	Hamilton, W. H.,	Metz,	Stimmel,
Bear,	Haudenshield,	Mikula,	Stone,
Blair,	Helm,	Miller,	Stoner,
Bolton,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Munley,	Toll,
Buchanan,	Jones, Geo. E.,	Musto,	Tompkins,
Bullen,	Jones, T. H. W.,	Naugle,	Toomey,
Clapper,	Jump,	Needham,	VanSant,
Cochran,	Keller,	Ogilvie,	Varner,
Connelly,	Kent,	Peifly,	Vaughan,
Coyle,	Kerlin,	Petrosky,	Wall,
Davis,	Kohl,	Pfaff,	Waterhouse,
Dougherty,	Kornick,	Phillips,	Weidner,
Down,	Kratz,	Polaski,	Wescott,
Downey,	Kromer,	Polen,	Whalley,
DuBois,	Kubacki,	Price,	Wheeler,
Erb,	Lafore,	Quisenberry,	Willaredt,
Ferster,	Leisey,	Ragot,	Williams,
Flack,	Light,	Readinger,	Wilt,
Fleischman,	Limper,	Reagan,	Wood,
Flynn,	Lippincott,	Reidenbach,	Worley,
Frost,	Lopresti,	Richter,	Yeakel,
Geer,	Lovett,	Rovansek,	Yetzer,
Gibson,		Scott,	Young,
			Ziegler,

NAYS—54

Alexander,	Hamilton, R. K.,	McGee,	Schmidt,
Amarando,	Harris,	Mihm,	Schuster,
Bazin,	Hersch,	Monroe,	Schwartz,
Boory,	Hoggard,	Moran,	Stank,
Breth,	Jenkins,	Muldowney,	Taylor,
Capano,	Jones, Gran'le E.,	Murray, J. J.,	Thomas,
Cianfrani,	Kamyk,	Murray, P. G.,	Varallo,
Cioffi,	Kolankiewicz,	Olsen,	Walsh,
Comer,	Lederer,	Parlante,	Wargo,
Conner,	Leonard,	Peta,	Welsh,
Fenrich,	Leven,	Poltenstein,	White,
Filo,	Maguire,	Rosen,	Whitenight,
Glick,	McCann,	Sarraf,	Zeitz,
Guss,	McCormack,		

NOT VOTING—25

Boies,	Farabaugh,	Maxwell,	Seyler,
Bomberger,	Floyd,	McWherter,	Verona,
Breisch,	Gutendorf,	Mills,	Wallace,
Cooper,	Ide,	Pettigrew,	Watkins,
Curwood,	Jones, Paul F.,	Royer,	Smith, C. C.,
Dunn,	Kline,	Rubin,	Speaker
Ewing,	Mathews,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 894, Printer's No. 299,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, entitled:

An Act to amend clause (e) of and to add clause (e.1) to Section 401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligation imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by providing for the care of seniles on leave of absence from State mental hospitals and eliminating certain obsolete provisions

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. I would like to interrogate the sponsor of this measure—we are discussing 946?

The SPEAKER. We are discussing House Bill No. 946, Printer's No. 287. The gentleman is correct.

Will the lady from Lehigh, Mrs. Markley, permit herself to be interrogated?

Mrs. MARKLEY. I shall, Mr. Speaker.

Mr. ANDREWS. Approximately how many patients now in state institutions would be committed into the care of local institution districts if this bill passes?

Mrs. MARKLEY. I do not know, Mr. SPEAKER.

Mr. ANDREWS. Then I presume the lady would be unable to inform the House as to the expense this bill might inflict upon local institution districts?

Mrs. MARKLEY. That is correct, Mr. Speaker.

Mr. ANDREWS. I would suggest therefore that we delay consideration of this bill until we can have a more definite statement as to the purpose and the facts.

Mrs. MARKLEY. That is agreeable, Mr. Speaker.

BILLS PASSED OVER

There being no objection

House Bill No. 946, Printer's No. 287,

was passed over at the request of Mr. ANDREWS.

There being no objection

House Bill No. 952, Printer's No. 238 and

House Bill No. 1001, Printer's No. 288,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1105 as follows:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 704) entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof to the flooding and use by holders of limited power permits of islands owned by the Commonwealth to the unlawful use for water or steam power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits and to proceedings for the enforcement of this act" by suspending and postponing for a certain period provisions relating to steam power dams within the jurisdiction of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 704) entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof to the flooding and use by holders of limited power permits of islands owned by the Commonwealth to the unlawful use for water or steam power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits and to proceedings for the enforcement of this act" is hereby amended to read as follows

Section 2 A power dam or change in stream to develop power shall be deemed to be within the jurisdiction of the United States within the meaning of this section whenever (1) such dam or change is constructed or made or to be constructed or made in or upon navigable waters of the United States or (2) the Federal Power Commission shall have found that the interests of interstate or foreign commerce would be affected by the construction of such dam or the making of such change

Every permit hereafter granted by the commission for the construction of a power dam or for a change in stream to develop power not within the jurisdiction of the United States shall be limited to such periods not exceeding fifty years as the said commision shall determine and set forth therein Provided That the permittee shall be entitled to extension and renewal of such permit upon the terms thereof until the permittee shall have received through recapture or purchase by the Commonwealth or by a duly authorized subsequent permittee repayment of the capital prudently invested in the power project upon the faith of the permit plus such reasonable damages if any to property of the permittee valuable serviceable and dependent for its usefulness upon the continuance of such permit but not recaptured or purchased as may be caused by the severance therefrom of property taken

Every permit hereafter granted by the commission for the construction of a power dam or for a change in stream to develop power within the jurisdiction of the United States shall be on the following conditions which shall be expressed in such permit namely (a) That the permit shall become null and void unless within the time specified therein the permittee (or as to a change in stream within the Commonwealth effected or to be effected by a dam or other means without the Commonwealth those constructing or purposing to construct maintain or operate such dam or other means) shall secure from the Federal Power Commission a license for such dam or change and (b) that if and to the extent that any of the rights or powers set forth or reserved as rights or powers of the United States in or pursuant to the provisions of such license shall be waived by the United States or be unenforceable by the United States then and to that extent such rights and powers (including if so waived or unenforceable any rights of recapture extension or renewal so set forth or reserved) may be exercised and enforced by the Commonwealth of Pennsylvania subject to such alterations in plans specifications or structures and such extensions of time for commencing or completing construction as may be made or granted by the Federal Power Commission

The provisions of this act relating to dams or changes in streams to supply water for steam power within the jurisdiction of the United States shall be suspended and postponed until the Federal Power Commission shall require licenses for such dams or changes in streams and during the period in which the provisions of this act shall be so suspended and postponed any such dams or changes in streams shall continue to be subject to existing laws relating to water obstructions

Every permit granted under this section shall be subject to such reasonable annual charge specified therein as the commission shall fix for the purpose of reimbursing the Commonwealth for the costs of administration of this act and may in the discretion of the commission embody such other terms conditions and stipulations as the commission shall deem necessary to protect the present and future interests of the Commonwealth and its people in the construction maintenance and operation of the project and in the water and power resources to be utilized thereby and suitable to secure to the permittee a reasonable opportunity for a fair return on the actual investment prudently made in the project

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, in this particular bill without some additional information being given, by someone who knows the facts, it is almost impossible to vote upon it intelligently.

For that reason I would like to interrogate the gentleman from Warren, Mr. Gibson.

The SPEAKER. Will the gentleman from Warren, Mr. Gibson, permit himself to be interrogated?

Mr. GIBSON. I shall, Mr. Speaker.

Mr. LOPRESTI. Will the gentleman tell the House the purpose of the bill?

Mr. GIBSON. Yes, Mr. Speaker, I shall, This bill was

introduced to clarify the present law in regard to this type of dam by suspending the permit provisions of the 1923 Act insofar as they apply to dams or changes in streams to water supply for steam power as distinguished from hydro-electric power.

At present the Federal Power Commission does not require licenses for steam power dams. The 1923 Act has a provision which I shall read from the act:

> Every permit hereafter granted by the Commission for the construction of a power dam or for a change in stream to develop power within the jurisdiction of the Uunited States shall be on the following conditions which shall be expressed in such permits, viz, (a) that the permit shall become null and void unless within the time specified therein the permit holder shall secure from the Federal Power Commission a license for such dam or change.

The Federal Power Commission no longer requires or issues permits for this type of dam. Therefore it is impossible to issue permits under 1923 Act.

The suspension provided in this bill will remain in effect until the Federal Power Commission requires licenses for such steam power dams. During that period such dams will be subject to the permit provisions under the Act of 1913, relating to obstructions in streams.

Presently the permits being issued for this particular type of dam are being issued under the 1913 Act. This bill is to clarify the situation which exists between the two Acts, which under the 1923 provision has created an ambiguous or impossible situation.

Does that answer the gentleman's question?

Mr. LOPRESTI. I think the gist of the thing is, that it is impossible to comply with the 1923 Act, because it requires a federal permit. Therefore we are suspending it and putting into effect once again the 1913 law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gleason,	Mahan,	Schuster,
Alexander,	Glick,	Markley,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Toll,
Buchanan,	Johnson,	Munley,	Tompkins,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Paul F.,	Musto,	Varallo,
Cioffi,	Jones, T. H. W.,	Naugle,	Varner,
Clapper,	Jump,	Needham,	Vaughan,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peifly,	Wargo,
Coyle,	Kline,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Farabaugh,	Leisey,	Ragot,	Williams,
Fenrich,	Leonard,	Readinger,	Wilt,
Ferster,	Leven,	Reagan,	Wood,
Filo,	Light,	Reidenbach,	Worley,
Flack,	Limper,	Richter,	Yeakel,
Fleischman,	Lippincott,	Rosen,	Yetzer,
Flynn,	Lopresti,	Rovansek,	Young,
Frost,	Lovett,	Royer,	Zeitz,
Geer,	Lutty,	Sarraf,	Ziegler,
Gibson,	Maguire,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1254, Printer's No. 300

was passed over at the request of the SPEAKER.

BILL PASSED OVER

There being no objection

House Bill No. 1257, Printer's No. 289

was passed over at the request of Mr. SCOTT.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1285 as follows:

An Act to further amend subsection (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution district cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies on sureties on bonds of tax collectors.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as last amended by the act approved the sixteenth day of May one thousand nine hundred fifty-one (P. L. 314) are hereby further amended to read as follows

Section 4 Bonds of Tax Collectors

* * * * *

(b) In boroughs towns and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the clerk of the court of quarter

sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least [two sufficient sureties or] one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to the amount hereinbefore prescribed

(b.1) In boroughs towns and townships of the second class and after the thirty-first day of December one thousand nine hundred fifty-three in townships of the first class [where the surety on a tax collector's bond or on the bond of a township treasurer as tax collector is a bonding company] the premium on the bond shall be paid by the respective taxing districts Each taxing district shall be liable to pay that percentage of the bond premium as the total taxes charged in the duplicate of the taxing district bears to the total taxes charged in the duplicate of all of the taxing districts In any case where a tax collector is required to furnish additional bond the premium on such additional bond shall be paid by the taxing district which petitioned the court for the additional bond Prior to the first day of January one thousand nine hundred fifty-four where the surety on a tax collector's bond in a township of the first class is a bonding company any taxing district may pay its percentage of the bond premium as above provided

* * * * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adam,	Gleason,	Mahan,	Schuster,
Alexander,	Glick,	Markley,	Schwartz,
Amarando,	Goodling,	Maxwell,	Scott,
Andrews,	Gramlich,	McCann,	Seyler,
Ashton,	Greenwood,	McCormack,	Shoemaker,
Auker,	Guss,	McCullough,	Shotwell,
Banker,	Gutendorf,	McDermit,	Smith, W. B.,
Barkdoll,	Guthrie,	McGee,	Snider,
Baumunk,	Hall,	McInroy,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Boies,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Hoggard,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Tompkins,
Buchanan,	Johnson,	Munley,	Toll,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Paul F.,	Musto,	Varallo,
Cioffi,	Jones, T. H. W.,	Naugle,	Varner,
Clapper,	Jump,	Needham,	Vaughan,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,
Connelly,	Kent,	Parlante,	Walsh,
Conner,	Kerlin,	Peifly,	Wargo,
Coyle,	Kline,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Welsh,
Dougherty,	Kornick,	Phillips,	Wescott,
Down,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Quisenberry,	Willaredt,
Farabaugh,	Leisey,	Ragot,	Williams,
Fenrich,	Leonard,	Readinger,	Wilt,
Ferster,	Leven,	Reagan,	Wood,
Filo,	Light,	Reidenbach,	Worley,
Flack,	Limper,	Richter,	Yeakel,
Fleischman,	Lippincott,	Rosen,	Yetzer,
Flynn,	Lopresti,	Rovansek,	Young,
Frost,	Lovett,	Royer,	Zeitz,
Geer,	Lutty,	Sarraf,	Ziegler,
Gibson,	Maguire,	Schmidt,	Smith, C. C., Speaker

NAYS—0

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301 as follows:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 215) entitled "An act providing for the creation and incorporation as municipal corporations and for the management and operation of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth and its agencies through the construction of water-works and facilities and/or the acquisition of the property water-works rights and franchises of public and private corporations copartnerships associations and individuals furnishing and supplying water to the public in said districts prescribing the powers and duties of such districts and the officers thereof conferring jurisdiction on courts of common pleas in connection therewith and imposing certain costs and charges preliminarily on counties" by further regulating the appointment or election of the governing board and officers of water supply districts conferring powers and imposing duties upon the legislative bodies of political subdivisions providing for water supply district representatives defining their powers and duties and clarifying provisions relating to costs and charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 23 the second paragraph of Section 25 and Sections 35 45 and 58 of the act approved the twentyninth day of May one thousand nine hundred thirty-one (P. L. 215) entitled "An act providing for the creation and incorporation as municipal corporations and for the management and operation of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth and its agencies through the construction of waterworks and facilities and/or the acquisition of the property water-works rights and franchises of public and private corporations copartnerships associations and individuals

furnishing and supplying water to the public in said districts prescribing the powers and duties of such districts and the officers thereof conferring jurisdiction on courts of common pleas in connection therewith and imposing certain costs and charges preliminary on counties" are hereby amended to read as follows

Section 23 Notice of Filing Petition and Hearing The court or any judge thereof in chambers upon application of counsel for the petitioners shall fix a place and time for a hearing on any such petition or petitions which time of hearing shall be fixed not less than thirty days from said presentation and said hearing may be before said court or any law judge thereof Notice of such hearing shall be given by the petitioners once a week for three consecutive weeks in at least two newspapers of general circulation published in the county of the court having jurisdiction and in the legal journal if any designated by rule of said court for the publication of legal notices of the filing of the petition and of the time and place fixed for hearing thereon and a copy of said notice together with a copy of the petition or one of the petitions shall be sent by registered mail by counsel for the petitioners to the secretary or corresponding officer of the legislative body of each municipality within or partly within the proposed district who shall present the matter to such legislative body at its next meeting

Section 25 Hearings Decrees Appeals and Bond

* * * * *

When a district is so created or incorporated the costs and proper expenses of the proceeding and incidental thereto and reasonable counsel fee to the petitioners' counsel for his or their services therein shall be paid by the county in which said petition has been filed which county shall be fully reimbursed said costs expenses and counsel fee with legal interest thereon by the district as soon as sufficient funds thereof become available

Section 35 Board of Directors Oath Bond Compensation Water Supply District Representation [Within ten days after the certified copies of the decree of court and letters patent are recorded with the recorder of deeds as aforesaid] (a) At any time and from time to time after the filing of such petition the legislative body of any municipality within or partly within the district or proposed district may appoint from among its members for a term expiring at the next organization meeting of such legislative body or upon the appointment of his successor one representative to meet and act with representatives if any similarly appointed by the legislative bodies of other such municipalities The secretary or corresponding officer of such legislative body shall deliver to such appointee within two (2) days after his appointment a written certificate of his appointment and the date and term thereof signed by such secretary or corresponding officer The representatives as a group shall be called "Water Supply District Representatives"

(b) The first meeting of such representatives shall be called by and held pursuant to written notice of the time and place thereof within the district or proposed district signed by not less than three (3) representatives and mailed or personally delivered together with a copy thereof to the secretary or corresponding officer of the legislative body of each municipality within or partly within the district or proposed district not less than ten (10) days prior to such meeting and such secretary or corresponding officer shall mail or personally deliver said copy of such notice within two (2) days after its receipt by him to the representative of his municipality if such representative has been appointed or if such representative has not been appointed then within twenty-four (24) hours after his appointment

The annual meeting of the representatives shall be held at such time during the first full week of February in each year and at such place within the district as may be designated by the representatives at their last previous meeting held sixty (60) days or more prior to such annual meeting or in the event of failure of the representatives to so designate the time and place then at such time during said week and at such place within the district as shall be designated by the chairman of the representatives

Special meetings of the representatives may be called at any time by the chairman or vice-chairman of the representatives or by written request signed by not less than three (3) representatives stating the time place within the district and purpose or purposes of such meeting and delivered to the secretary of the representatives not less than ten (10) days prior to the time of such meeting

Written notice of each meeting of representatives whether annual or special shall be mailed by the secretary of the representatives to each representative and to the secretary or corresponding officer of the legislative body of each municipality for which no current certificate of appointment of a representative is on file with the secretary of the representatives not less than five (5) days prior to such meeting

(c) At the first meeting of the representatives and at each annual meeting thereafter they shall organize by the election of one of their members as chairman one as vice-chairman one as secretary one as treasurer and such other officers as the representatives may from time to time designate each to serve until the next annual meeting of representatives or until his successor shall have been elected No representative shall be qualified to act as such or to vote or hold office as such except for organization purposes at the first meeting of representatives until he shall have delivered to the secretary of the representatives a current certificate of his appointment duly signed by the secretary or corresponding officer of the legislative body of his municipality

(d) If and when such representatives shall have been appointed by the legislative bodies of a majority in number of the municipalities within or partly within the district or proposed district and proper certificates of appointment thereof shall have been lodged with the secretary of the representatives such representatives shall elect at their first meeting if held within nine (9) days after the certified copies of the decree of court and letters patent are recorded with the recorder of deeds as aforesaid three persons who shall be qualified electors and resident freeholders within the district as a board of directors to manage the affairs of the district

At all elections for directors each directorship shall be voted upon separately each representative present in person to have one non-cumulative vote and the candidate or nominee receiving the greatest number of votes shall be declared elected Provided however That no candidate or nominee shall be elected unless he shall have received the votes of a majority of all of the representatives whether or not all of the representatives are present And provided further That no person who is not a qualified elector and a resident freeholder within the district may be a director at any time

(e) If directors shall have been elected as hereinbefore provided within nine (9) days after the certified copies of the decree of court and letters patent are recorded with the recorder of deeds as aforesaid the secretary of the representatives shall within ten (10) days after the said certified copies of the decree of court and letters patent are recorded as aforsaid file with the prothonotary of said court in the proceedings to create said district a certificate signed and verified by the chairman and secretary of the representatives showing

I The name of the district

II The dates and records of the decree of court and letters patent

III The municipalities within or partly within the district

IV That the legislative bodies of a majority of said municipalities to wit (naming the municipalities comprising such majority) have duly appointed one representative each under the provisions of the Water Supply District Law as evidenced by current and proper certificates

of appointment on file with the secretary of the representatives

V That the deponents are the duly elected chairman and secretary respectively of the representatives

VI That at a meeting of said representatives duly called and held on (date) within said district the following person (or persons) each of whom is a qualified elector and resident freeholder within the district was (or were) duly elected pursuant to said law as a director of said district for the respective terms indicated below

(Names addresses and respective terms)

VII (If applicable) The name of the director whose office has become vacant the date and cause of such vacancy and the date of expiration of the current term of such vacant office

(f) If such certificate shall not have been filed as hereinbefore provided within ten (10) days after the certified copies of the decree of court and letters patent are recorded as aforesaid then within ten (10) days after the expiration of said time the court shall appoint three persons who shall be qualified electors and resident freeholders within the district as a board of directors to manage the affairs of the district

(g) The first [appointment] directors shall be elected or appointed for the following terms One for two years one for four years and one for six years from the date of their respective elections or appointments Thereafter all elections by the representatives or appointments by the court to membership of the board where terms expire shall be for terms of six years [Vacancies] A vacancy in the membership of the board shall be filled by the court for the unexpired term of a court appointee and by the representatives aforesaid for the unexpired term of a director elected by them A certificate of such election to fill such vacancy similar in form to and verified as that set forth in paragraph (e) of this section shall be filed with the prothonotary aforesaid within thirty (30) days after such vacancy arose if the vacancy is filled by the representatives otherwise such vacancy shall be filled by the court

(h) Prior to the expiration of the term of any director whether appointed by the court or elected by the representatives the representatives may elect a director to succeed the director whose term next expires In such event a certificate of such election similar in form to and verified as that set forth in paragraph (e) of this section shall be filed with the prothonotary aforesaid not less than ten (10) days before said term expires otherwise the court shall appoint a director qualified as aforesaid to succeed the director whose term next expires

(i) Each municipality appointing a representative as aforesaid shall pay out of its general funds to the representatives at or before the first meeting of representatives the sum of twenty-five dollars ($25) for the use of the representatives for and towards the cost of filing fees stationery postage and other proper costs and expenses of the representatives Thereafter each municipality shall pay out of its general funds to the representatives on or before the first day of July in each year for like use the sum of ten dollars ($10) and such additional amount or amounts as the majority of the representatives may from time to time determine Provided however That no municipality shall be bound to pay to the representatives for such use more than twenty-five dollars ($25) aggregate amount during any one calendar year after the first calendar year without the consent or approval of the legislative body of such municipality

(j) Each officer of the representatives shall have such powers and duties as pertain to his office and such additional powers and duties as may be delegated to him by the representatives from time to time

(k) The court shall fix the compensation of the members of the board appointed by the court and the representatives shall fix the compensation of the members of the board elected by the representatives which compensation in either case shall not exceed six thousand dollars ($6000) per annum and shall be payable from the funds of the district

(l) Each member of the board before entering upon the duties of his office shall take and subscribe an oath before an officer authorized to administer oaths that he will honestly faithfully and impartially perform the duties of his office and that he will not be pecuniarily interested directly or indirectly in any contract concerning the business or affairs of the district Each member of the board shall also give bond to the Commonwealth for the use of the district in the penal sum of twenty-five thousand dollars ($25,000) with corporate surety conditioned for the faithful and honest discharge of his duties The premium on such bonds shall be paid from the funds of the district The oath and bond shall be filed with the prothonotary of the court

Section 45 Appointment of Auditor General Duties On or before the first Monday of January in each and every year the court if any of the directors in office during the preceding calendar year were appointed by the court otherwise the Board of Directors shall appoint a certified public accountant or firm of certified public accountants to audit adjust and settle the accounts of the officers and tax collectors of the district

The auditor shall prepare a statement thereof which shall contain an account of the last fiscal year which shall be the calendar year and shall show a complete statement of the financial condition of the district giving the actual indebtedness including any amount secured by lien only the amount of the funded debt the amount of the floating debt the valuation of the taxable property in the district the assets of the district with their character and the date of the maturity of the respective forms of debt

Section 58 Compensation of Auditor The auditor shall receive such compensation as the court shall fix if the auditor is appointed by the court or as the Board of Directors shall fix if the auditor is appointed by the Board of Directors

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, may I ask that the sponsor of this bill explain the bill?

The SPEAKER. Will the gentleman from Montgomery, Mr. Kratz, explain the bill?

Mr. KRATZ. Mr. Speaker, in 1931, the water district bill was passed by the House. Up to this time there has never been a water district set up in the state of Pennsylvania. The original Act provided that the board of directors be appointed by a Court. It did not specify any particular court; it just said they would be appointed by a court, and it is readily conceivable that since this was the method of appointing directors there was nothing to prevent a court from appointing anyone that they desired, whether they were residents of the district, had any interest in the district or not.

That point was not covered by the Act, so apparently this water district Act of 1931 was never used.

Now the only change we have offered to that law is this, the municipalities that are encompassed in the water district will have the right to appoint their own managers.

We take the bill out of the realm of the board of directors that might be from any part of the state sent in to run a water district in any other part of the state, and place the water district in the hands of those whom it will serve and who are responsible directly to the

people of the district. That is the only change in the entire bill.

Mr. MORAN. Mr. Speaker, I have no objection to the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adam,	Gibson,	Maguire,	Schuster,
Alexander,	Gleason,	Mahan,	Schwartz,
Amarando,	Glick,	Markley,	Scott,
Andrews,	Goodling,	Maxwell,	Seyler,
Ashton,	Gramlich,	McCann,	Shoemaker,
Auker,	Greenwood,	McCormack,	Shotwell,
Banker,	Guss,	McCullough,	Smith, W. B.,
Barkdoll,	Gutendorf,	McDermit,	Snider,
Baumunk,	Guthrie,	McGee,	Spencer,
Bazin,	Hall,	McInroy,	Stank,
Bear,	Hamilton, R. K.,	Metz,	Stevenson,
Blair,	Hamilton, W. H.,	Mihm,	Stimmel,
Boles,	Harris,	Mikula,	Stone,
Bolton,	Haudenshield,	Miller,	Stoner,
Boory,	Helm,	Mills,	Strausser,
Bower,	Hersch,	Monroe,	Sucher,
Breisch,	Hewitt,	Moody,	Taylor,
Breth,	Hocker,	Moore,	Thomas,
Brown,	Hoggard,	Moran,	Thompson,
Bucchin,	Jenkins,	Moscrip,	Toll,
Buchanan,	Jim,	Muldowney,	Tompkins,
Bullen,	Johnson,	Munley,	Toomey,
Capano,	Jones, Geo. E.,	Murray, J. J.,	VanSant,
Cianfrani,	Jones, Gran'le E.,	Murray, P. G.,	Varallo,
Cioffi,	Jones, Paul F.,	Musto,	Varner,
Clapper,	Jones, T. H. W.,	Naugle,	Vaughan,
Cochran,	Jump,	Needham,	Wall,
Comer,	Kamyk,	Ogilvie,	Wallace,
Connelly,	Keller,	Olsen,	Walsh,
Conner,	Kent,	Parlante,	Wargo,
Coyle,	Kerlin,	Peifly,	Waterhouse,
Curwood,	Kline,	Peta,	Weidner,
Davis,	Kohl,	Petrosky,	Welsh,
Dougherty,	Kolankiewicz,	Pfaff,	Wescott,
Down,	Kornick,	Phillips,	Whalley,
Downey,	Kratz,	Polaski,	Wheeler,
DuBois,	Kromer,	Polen,	Whitenight,
Dunn,	Kubacki,	Price,	Willaredt,
Erb,	Lafore,	Quisenberry,	Williams,
Farabaugh,	Lederer,	Ragot,	Wilt,
Fenrich,	Leisey,	Readinger,	Wood,
Ferster,	Leonard,	Reagan,	Worley,
Filo,	Leven,	Reidenbach,	Yeakel,
Flack,	Light,	Richter,	Yetzer,
Fleischman,	Limper,	Rosen,	Young,
Flynn,	Lippincott,	Rovansek,	Zeitz,
Frost,	Lopresti,	Royer,	Ziegler,
Geer,	Lovett,	Sarraf,	Smith, C. C., Speaker
	Lutty,	Schmidt,	

NAYS—2

Poltenstein,	White,

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1336, Printer's No. 291,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1350, as follows:

An Act to amend subsection B and C of section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring members to serve without compensation and the treasurer to post a bond

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B and C of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" subsection C of which was amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) are hereby amended to read as follows

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

* * * * *

B Members shall hold office until their successors have been appointed and may succeed themselves and shall receive [such salaries as may be determined by the governing body or bodies of the municipality or municipalities but none of such salaries shall be increased or diminished by such governing body or bodies during the term for which the member receiving the same shall have been appointed] no compensation for their services The members of the board in office on the effective date of this amendment shall continue to receive their salaries during the remainder of their existing term A member may be removed for cause by the court of quarter sessions of the county in which the Authority is located after having been provided with a copy of the charges against him for at least ten days and full hearing by the court If a vacancy shall occur by reason of the death disqualification resignation or removal of a member the muniicpal authorities shall appoint a successor to fill his unexpired term In joint Authorities such vacancies shall be filled by the municipal Authorities of the municipality in the representation of which the vacancy occurs Whenever any municipality shall withdraw from a joint Authority the term of any member or members appointed from such municipality shall immediately terminate

C A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members present unless in any case the bylaws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the

business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective powers duties and compensation and may appoint to such office or offices any member of the board with such powers duties and compensation as the board may deem proper The treasurer of the board shall give bond in such sums as may be fixed by the by-laws which bond shall be subject to the approval of the board and the premiums for which shall be paid by the Authority

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Helm.

The SPEAKER. Will the gentleman from Armstrong, Mr. Helm, permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.

Mr. READINGER. May I ask the gentleman what particular reason there would be for eliminating the law by this bill which allows salaries to be paid to members of authorities?

Mr. HELM. Mr. Speaker, the idea back of it, of course, is that the authority is appointed by a Board which receives no pay, therefore they feel it is only fair that the members of that authority should serve without pay.

Mr. READINGER. May I inquire further whether the experience since the Authority Acts were passed has been bad in respect to the payment of salaries? Have exorbitant salaries been paid to members of authorities, or what are the salaries?

Mr. HELM. Mr. Speaker, I am not able to state for most authorities, but there have been a few instances, I understand, where a considerable fee has been paid, but I think it has been very few in number.

Mr. READINGER. Is it the thought of the sponsor then that the communities will be better served by these authorities if the members serve without compensation of any kind?

Mr. HELM. I believe it is true that in most cases people who serve on these authorities are local, civic-minded people and are serving primarily because they want to, and render good service. I think you will get very good service from those who do not receive any pay.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adam	Gleason,	Mahan,	Schwartz,
Alexander,	Glick,	Markley,	Seyler,
Amarando,	Goodling,	Maxwell,	Shoemaker,
Andrews,	Gramlich,	McCann,	Shotwell,
Ashton,	Greenwood,	McCormack,	Snider,
Banker,	Guss,	McCullough,	Spencer,
Barkdoll,	Gutendorf,	McDermit,	Stank,
Baumunk,	Guthrie,	McGee,	Stevenson,
Bazin,	Hall,	Metz,	Stimmel,
Bear,	Hamilton, W. H.,	Mihm,	Stoner,
Boies,	Harris,	Mikula,	Strausser,
Bolton,	Haudenshield,	Miller,	Sucher,
Boory,	Helm,	Mills,	Taylor,
Bower,	Hersch,	Monroe,	Thomas,
Breisch,	Hewitt,	Moody,	Thompson,
Breth,	Hocker,	Moore,	Toll,
Brown,	Hoggard,	Moran,	Tompkins,
Bucchin,	Jenkins,	Moscrip,	Toomey,
Buchanan,	Jones, Geo. E.,	Muldowney,	VanSant,
Bullen,	Jones, Gran'le E.	Munley,	Varallo,
Capano,	Jones, Paul F.,	Murray, J. J.,	Varner,
Cianfrani,	Jump,	Murray, P. G.,	Vaughan,
Cioffi,	Kamyk,	Musto,	Wall,
Clapper,	Keller,	Naugle,	Wallace,
Cochran,	Kent,	Needham,	Walsh
Comer,	Kerlin,	Olsen,	Wargo,
Connelly,	Kline,	Parlante,	Waterhouse,
Coyle,	Kohl,	Peta,	Weidner,
Curwood,	Kolankiewicz,	Pfaff,	Welsh,
Davis,	Kornick,	Phillips,	Wescott,
Dougherty,	Kratz,	Polaski,	Whalley,
Downey,	Kromer,	Polen,	Wheeler,
DuBois,	Kubacki,	Poltenstein,	White,
Dunn,	Lafore,	Price,	Whitenight,
Erb,	Lederer,	Ragot,	Willaredt,
Farabaugh,	Leisey,	Reagan,	Williams,
Fenrich,	Leonard,	Reidenbach,	Worley,
Ferster,	Leven,	Richter,	Wood,
Filo,	Light,	Rosen,	Yeakel,
Flack,	Limper,	Rovansek,	Young,
Fleischman,	Lopresti,	Royer,	Zeitz,
Frost,	Lutty,	Sarraf,	Ziegler,
Gibson,	Maguire,	Schmidt,	Smith, C. C., Speaker
		Schuster,	

NAYS—23

Auker,	Hamilton, R. K.,	McInroy,	Scott,
Blair,	Jim,	Ogilvie,	Smith, W. B.,
Conner,	Johnson,	Peifly,	Stone,
Down,	Jones, T. H. W.,	Petrosky,	Wilt,
Flynn,	Lippincott,	Quisenberry,	Yetzer,
Geer,	Lovett,	Readinger,	

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 43, Printer's No. 115

Senate Bill No. 207, Printer's No. 278 and

Senate Bill No. 416, Printer's No. 135

were passed over at the request of the SPEAKER.

There being no objection

Senate Bill No. 435, Printer's No. 210

was passed over at the request of Mr. LIPPINCOTT.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 548, as follows:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees

therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 408 and 409 of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" are hereby further amended to read as follows

Section 408 License Fees Generally The commission shall charge and collect license fees from milk dealers on a yearly basis as follows Where a milk dealer received produced or brought within the Commonwealth during the calendar year preceding the period for which the license is issued a daily average total quantity of milk

(1) Not exceeding twenty (20) pounds a license fee of one dollar ($1.00)

(2) Exceeding twenty (20) pounds but not exceeding one hundred (100) pounds a license fee of three dollars ($3.00)

(3) Exceeding one hundred (100) pounds but not exceeding five hundred (500) pounds a license fee of ten dollars ($10.00)

(4) Exceeding five hundred (500) pounds but not exceeding one thousand (1,000) pounds a license fee of fifteen dollars ($15.00)

(5) Exceeding one thousand (1,000) pounds but not exceeding two thousand (2,000) pounds a license fee of thirty dollars ($30.00)

(6) Exceeding two thousand (2,000) pounds but not exceeding three thousand (3,000) pounds a license fee of forty dollars ($40.00)

(7) Exceeding three thousand (3,000) pounds but not exceeding four thousand (4,000) pounds a license fee of fifty dollars ($50.00)

(8) Exceeding four thousand (4,000) pounds but not exceeding five thousand (5,000) pounds a license fee of sixty dollars ($60.00)

(9) Exceeding five thousand (5,000) pounds but not exceeding seven thousand five hundred (7,500) pounds a license fee of seventy-five dollars ($75.00)

(10) Exceeding seven thousand five hundred (7,500) pounds but not exceeding ten thousand (10,000) pounds a license fee of one hundred dollars ($100.00)

(11) Exceeding ten thousand (10,000) pounds but not exceeding fifteen thousand (15,000) pounds a license fee of one hundred fifty dollars ($150.00)

(12) Exceeding fifteen thousand (15,000) pounds but not exceeding twenty-five thousand (25,000) pounds a license fee of two hundred dollars ($200.00)

(13) Exceeding twenty-five thousand (25,000) pounds but not exceeding fifty thousand (50,000) pounds a license fee of three hundred dollars ($300.00)

(14) Exceeding fifty thousand (50,000) pounds but not exceeding one hundred thousand (100,000) pounds a license fee of five hundred dollars ($500.00)

(15) Exceeding one hundred thousand (100,000) pounds but not exceeding two hundred fifty thousand (250,000) pounds a license fee of one thousand dollars ($1,000.00)

(16) Exceeding two hundred fifty thousand (250,000) pounds but not exceeding five hundred thousand (500,000) pounds a license fee of one thousand five hundred dollars ($1,500.00)

(17) Exceeing five hundred thousand (500,000) pounds but not exceeding seven hundred fifty thousand (750,000) pounds a license fee of two thousand five hundred dollars ($2,500.00)

(18) Exceeding seven hundred fifty thousand (750,000) pounds but not exceeding one million (1,000,000) pounds a license fee of three thousand five hundred dollars ($3,500.00)

(19) Exceeding one million (1,000,000) pounds a license fee of five thousand dollars ($5,000.00)

In addition to the foregoing specific annual fee and to be added to the amount thereof the commission shall charge and collect one cent per hundredweight for the license year beginning the first day of May one thousand nine hundred fifty-four and one-half cent per hundredweight for each license year thereafter on all milk the prices of which the commission is required to fix by the mandatory provision of section eight hundred two of this act received produced or brought within the Commonwealth by the dealer during the calendar year preceding the period for which the license is issued If the dealer was engaged in the milk business during a part only of the preceding calendar year the number of hundredweight on which the additional license fee shall be computed shall be determined by dividing the total number of hundredweight of milk as defined above received produced or brought into the Commonwealth by the dealer during the preceding license year by the number of months during which the dealer was licensed and multiplying by twelve The foregoing provisions do not apply to sub-dealers sub handlers or stores

The commission shall charge and collect license fees from subdealers on a yearly basis of fifteen dollars ($15.00) for each route owned or operated at the commencement of the license period

Except as otherwise expressly provided by this act the license fee fixed by this section shall be paid before any license or any renewal thereof is issued Where a license is applied for by a milk dealer and the commission declines to grant a license to the applicant the license fee shall be charged and retained by the commission only pro rata for so much of the license year as expired prior to the issuance of the order refusing the license

Section 409 License Fees of Certain Milk Dealers Milk dealers who are not engaged in the milk business at the commencement of the license period shall pay a proportionate amount of the specific annual fees as follows

(1) For a license issued on or after August first but prior to November first three-fourths of the annual fee

(2) For a license issued on or after November first but prior to February first of the succeeding year one-half of the annual fee

(3) For a license issued on or after February first but prior to May first one-fourth of the annual fee

Milk dealers not engaged in the milk business during any month in the preceding calendar year shall submit with their application a license fee in the sum of one dollar ($1.00) and in addition thereto (1) at such time or times as the commission may fix but not more than four months after the granting of the license shall pay an additional sum based upon the daily average total quantity of milk received produced or brought within the Commonwealth by such dealer during any of such months in the proportionate amount above stated and (2) shall pay monthly one cent per hundredweight during the part of the license year beginning the first day of May one thousand nine hundred fifty-four for which he is licensed and one-half cent per hundredweight during the part of any license year thereafter for which he is first licensed on all milk the prices of which the commission is required to fix by the mandatory provision of section eight hundred two of this act received produced or bought within the Commonwealth by the dealer during the preceding month The foregoing provisions do not apply to sub-dealers sub-handlers or stores

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adam,	Glick,	Markley,	Scott,
Alexander,	Goodling,	Maxwell,	Seyler,
Amarando,	Gramlich,	McCann,	Shoemaker,
Andrews,	Greenwood,	McCormack,	Shotwell,
Ashton,	Guss,	McCullough,	Smith, W. B.,
Auker,	Gutendorf,	McDermit,	Snider,
Banker,	Guthrie,	McGee,	Spencer,
Barkdoll,	Hall,	McInroy,	Stank,
Baumunk,	Hamilton, R. K.,	Metz,	Stevenson,
Bazin,	Hamilton, W. H.,	Mihm,	Stimmel,
Bear,	Harris,	Mikula,	Stone,
Blair,	Haudenshield,	Miller,	Stoner,
Boles,	Helm,	Mills,	Strausser,
Bolton,	Hersch,	Monroe,	Sucher,
Boory,	Hewitt,	Moody,	Taylor,
Bower,	Hocker,	Moore,	Thomas,
Breisch,	Hoggard,	Moscrip,	Thompson,
Breth,	Jenkins,	Muldowney,	Toll,
Brown,	Jim,	Munley,	Tompkins,
Bucchin,	Johnson,	Murray, J. J.,	Toomey,
Buchanan,	Jones, Geo. E.,	Murray, P. G.,	VanSant,
Bullen,	Jones, Gran'le E.	Musto,	Varallo,
Capano,	Jones, Paul F.,	Naugle,	Varner,
Cianfrani,	Jones, T. H. W.,	Needham,	Vaughan,
Cioffi,	Jump,	Ogilvie,	Wall,
Clapper,	Kamyk,	Olsen,	Wallace,
Cochran,	Keller,	Parlante,	Walsh
Comer,	Kent,	Peifly,	Wargo,
Connelly,	Kerlin,	Peta,	Waterhouse,
Conner,	Kline,	Petrosky,	Weidner,
Coyle,	Kohl,	Pfaff,	Welsh,
Curwood,	Kolankiewicz,	Phillips,	Wescott,
Davis,	Kornick,	Polaski,	Whalley,
Dougherty,	Kratz,	Polen,	Wheeler,
Down,	Kromer,	Poltenstein,	White,
Downey,	Kubacki,	Price,	Whitenight,
DuBois,	Lafore,	Quisenberry,	Willaredt,
Dunn,	Lederer,	Ragot,	Williams,
Erb,	Leisey,	Readinger,	Wilt,
Fenrich,	Leonard,	Reagan,	Wood,
Ferster,	Leven,	Reidenbach,	Worley,
Filo,	Light,	Richter,	Yeakel,
Flack,	Limper,	Rosen,	Yetzer,
Fleischman,	Lippincott,	Rovansek,	Young,
Frost,	Lopresti,	Royer,	Zeitz,
Geer,	Lovett,	Sarraf,	Ziegler,
Gibson,	Lutty,	Schmidt,	Smith, C. C., Speaker
Gleason,	Maguire,	Schuster,	
	Mahan,	Schwartz,	

NAYS—3

Farabaugh,	Flynn,	Moran,

NOT VOTING—11

Bomberger,	Floyd,	McWherter,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Mathews,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating workmen's compensation and occupational disease insurance rates, and changing the provision relating to such insurance as to policy requirements, suits for premiums and annual reports.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act to amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by extending the provisions of the act to insurance carriers authorized to write insurance under the Pennsylvania Occupational Disease Act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1184, entitled:

An Act to further amend the third paragraph of Section 1 of Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum days and hours of services for patrolmen

The first section was read.

On the question,

Will the House agree to the section?

Mr. WILT offered the following amendment:

Amend Sec. 1 (Sec. 1) page 2, line 20, by inserting brackets before and after "patrolman" and inserting immediately thereafter "policeman."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. WILT offered the following amendment:

Amend Title, page 1, list line of Title, by striking out "services" and inserting in lieu thereof "service."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1007, entitled:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or of the United States

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cameron, Mr. Tompkins vote on the third reading of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the third reading of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, next to last line of Title by inserting after "or" "to any court."

Amend Title, page 1, last line of Title, by inserting after "States" "and eliminating ineffective provisions."

Amend Sec. 1 (Sec. 2), page 2, line 9, by inserting after "therewith" "[including a reasonable compensation for his services to be fixed by the court in addition to the regular fee now allowed him by law for trying the case in the lower court]."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORT FROM COMMITTEE

Mr. STRAUSSER from the Committee on Welfare, reported as committed, Senate Bill No. 408, entitled:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance.

BILLS ON FIRST READING

Mr. STRAUSSER asked and obtained unanimous consent for Senate Bill No. 408 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 408, entitled:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age

assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BRETH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

COMMITTEE MEETINGS

COUNTIES—Mr. Erb, Chairman, Room 323, Tuesday, June 9, at 10:30 a. m., DST.

JUDICIARY—Mr. Tompkins, Chairman, Room 520, Tuesday, June 9, at 10:30 a. m. DST.

LABOR RELATIONS—Mr. Young, Chairman, Room 323, Tuesday, June 9, at 11:00 a. m., DST.

MUNICIPAL CORPORATIONS—Mr. Kratz, Chairman, Room 521, Tuesday, June 9, at 11:00 a. m. DST.

The Allegheny County Democratic Delegation will caucus fifteen minutes before Tuesday's Session convenes, in the Old House Caucus Room.

ADJOURNMENT

Mr. HARRIS. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 9, 1953 at 11:00 a. m. EST.

The motion was agreed to, and (at 9:04 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1953. 140th of the General Assembly.

Vol. 33. HARRISBURG, PA., TUESDAY, JUNE 9, 1953. No. 48.

SENATE

TUESDAY, June 9, 1953.

The Senate met at 1:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

PRAYER

The Chaplain, Rev. J. B. WILLIAMS, Pastor of the Second Baptist Church, Harrisburg, offered the following prayer:

Let us pray.

Infinite God and Friend, keep ever alive within our minds and hearts the certain knowledge that Thou dost have a particular plan and purpose for us, beginning and continuing forever in Thy great love.

May we moment by moment accept Thy will for us, for wherever we are and in whatever we do Thy gentle hand is upon us to lead us, to guide us, to train us, to perfect us. Make us ever aware of Thy closeness, especially in the time of temptations and trouble. Increase our faith so that as we work and pray, no failure, no success, no hardship, no pain, no loss, not even death, can separate us from Thy love.

In this time of conflict and confusion, may Thy strength support us, Thy wisdom lead us and Thy love redeem us. Open our hearts to receive Thee into the house of our souls, that we may rejoice in Thy fellowship as we walk the paths of life, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HARE and Mr. BERGER, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. HARE asked and obtained leave of absence for Mr. LETZLER, because of pressing important business.

He also asked and obtained leave of absence for Mr. WATKINS, because of pressing important business.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oliver G. Langer, 1817 Eleventh Avenue, Altoona, Blair County, for appointment as Alderman in and for the Fifth Ward of the City of Altoona, Blair County, until the first Monday of January 1954, vice Martin J. Brennan, resigned.

JOHN S. FINE.

MEMBER OF BOARD OF TRUSTEES, CONNELLSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sheldon C. Cunningham, 12 Chestnut Street, Scottdale, Westmoreland County, for appointment as a member of the Board of Trustees of Connellsville State Hospital, for the term of four years, and until his successor is qualified, vice Frank Lane, Monessen, deceased.

JOHN S. FINE.

MEMBER OF MIFFLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David M. Barron, Esq., (Republican), 123 Market Street, Lewistown, Mifflin County, for appointment as a member of the Mifflin County Board of Assistance, to serve until December 31, 1955, and until his successor is duly appointed and qualified, vice Henry A. Riddle, Jr., Lewistown, resigned.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. B. Bulick, 26 North Market Street, Selinsgrove, Snyder

County, for appointment as Justice of the Peace in and for the Borough of Selinsgrove, Snyder County, until the first Monday of January 1954, vice C. B. Forgy, resigned.

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR
NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on June 8, 1953.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Claudia B. Brown, Wilkinsburg.
Miss M. M. Courtwright, Pittsburgh, 3429 Massachusetts Ave.
H. M. Evans, Pittsburgh, 632 Smithfield St. (22).
Mrs. Martha R. Holmes, Pittsburgh, 435 Fifth Avenue, (19).
Louis H. Jackson, Glassport.
Mrs. Nell C. Kelly, Pittsburgh, 210 Grant Street (19).
Miss Emma C. Kolbe, McKeesport.
Miss Monica A. Nickel, Pittsburgh, 121 South Highland Ave. (6).
Miss Hilda G. Tejan, Ben Avon, 2098 Church Street, Pgh. (2).
L. L. Varljen, Pittsburgh, 5932 Broad Street (6)
Robert E. Vensel, Penn Twp., 102 Laverne Street, Pgh. (35).
Robert J. Weiss, Pittsburgh, Koppers Building, (19).

BERKS COUNTY

H. E. Baker, Spring Twp., Mohnton.
Mrs. Frances Breidenbach, Boyertown.
Paul S. Fritz, Kutztown.

BUCKS COUNTY

Mrs. Anne W. Bartle, Bristol Twp., Bristol.

CHESTER COUNTY

Mrs. Dolores B. Cain, West Chester.
John E. Cosgrove, West Chester.

CRAWFORD COUNTY

Clair H. Allen, Meadville.
Robert L. Walker, Linesville.

DAUPHIN COUNTY

James H. Meas, Harrisburg.
W. Robert Miller, Harrisburg.

DELAWARE COUNTY

Richard L. Filipone, Radnor Twp., Wayne.
Mrs. Ann deF. Twombly, Chester.

ERIE COUNTY

Mrs. Nancy L. Gensheimer, Erie.
Mrs. Pauline Hayes, Girard.
Barney B. Snyder, Corry.

FAYETTE COUNTY

Mrs. Hester W. Risk, Uniontown.

FRANKLIN COUNTY

Mrs. Edna N. Hudson, Washington Twp., Waynesboro.
Miss Betty Keckler, Washington Twp., Blue Ridge Summit.

LACKAWANNA COUNTY

Joseph M. Baron, Scranton.
Vito Santoro, Scranton.
Robert F. Thees, Scranton.

LANCASTER COUNTY

Miss Martha Bole, Columbia.
Mrs. Ruth A. Hess, Columbia.
Mrs. Kathryn A. McDevitt, Marietta.
Ralph R. Miller, Jr., Lancaster.

LEBANON COUNTY

Robert Sullivan, Lebanon.

LEHIGH COUNTY

Mrs. Marilyn I. Beltz, Allentown.

LUZERNE COUNTY

Spencer C. Masters, Forty-Fort.
Ray G. Zierdt, Hazleton.

LYCOMING COUNTY

John F. Breen, Loyalsock Twp., Williamsport.
Mrs. Doris J. Carichner, Williamsport.

McKEAN COUNTY

Samuel A. Manno, Kane.

MERCER COUNTY

Mrs. Genevieve B. Schell, Mercer.

MONTGOMERY COUNTY

Joseph A. Mirabile, Jr., Norristown.

NORTHAMPTON COUNTY

Miss Claire I. Maul, Easton.
Frank E. Obal, Easton.

NORTHUMBERLAND COUNTY

Mrs. Helen E. Ditty, Rockefeller Twp., Sunbury.
Gilbert E. Griscoskie, Shamokin Twp., Paxinos.

PHILADELPHIA COUNTY

Harold J. Abrams, 42 South 40th St. (4).
I. A. Greenblatt, 6105 Washington Ave.
R. Lee Kass, S. W. Cor. 41st and Chester Ave. (40).
Miss Catherine J. Kennedy, 1941 Plymouth St. (38).
Miss Elizabeth T. Naughton, S. W. Cor. 17th and Chestnut Sts. (3).
Miss Pearl Rosengarten, 902 Glenview St. (11).
Martin L. Sargent, 7600 State Road.
Charles A. Schiavo, Jr., 1537 Chestnut St.
William Schultz, 4810 Chestnut St. (39).
John D. Stewart, 2800 Magee Ave. (24).
Casimir M. Toczylowski, 807 South Second St.

WARREN COUNTY

P. F. Collins, Warren.

WASHINGTON COUNTY

Mrs. Mary J. Eppler, Allenport.

WESTMORELAND COUNTY

Robert Amour Wolfe, Jeannette.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 822, entitled:

An Act to amend sections 5 and 6 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by increasing the amount of the contributions to be made by the officers and employes.

Which was committed to the Committee on Local Government.

House Bill No. 833, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by authorizing annual assessments in lieu of triennial assessment for cities of the third class.

Which was committed to the Committee on Local Government.

House Bill No. 1105, entitled:

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 704), entitled "An act relating to limited power permits and limited water supply permits from the Water Supply Commission of Pennsylvania and the conditions thereof, to the flooding and use by holders of limited power permits of islands owned by the Commonwealth, to the unlawful use for water or stream power development of dams and changes in streams hereafter constructed or made otherwise than under limited power permits, and to proceedings for the enforcement of this act," by suspending and postponing for a certain period provisions relating to steam power dams within the jurisdiction of the United States.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1217, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the penalty as to speed.

Which was committed to the Committee on Highways.

House Bill No. 1285, entitled:

An Act to further amend subsections (b) and (b.1) of Section 4 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by requiring bonding companies as sureties on bonds of tax collectors.

Which was committed to the Committee on Local Government.

House Bill No. 1301, entitled:

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 215), entitled "An act providing for the creation and incorporation as municipal corporations, and for the management and operation, of water supply districts to furnish and supply water to the public residing therein and to public and private corporations and the Commonwealth, and its agencies through the construction of water-works and facilities, and/or the acquisition of the property, water-works, rights and francises of public and private corporations, copartnerships, associations, and individuals furnishing and supplying water to the public in said districts; prescribing the powers and duties of such districts, and the officers thereof; conferring jurisdiction on courts of common pleas in connection therewith; and imposing certain costs and charges preliminary on counties," by further regulating the appointment or election of the governing board and officers of water supply districts; conferring powers and imposing duties upon the legislative bodies of political subdivisions; providing for water supply district representatives; defining their powers and duties and clarifying provisions relating to costs and charges.

Which was committed to the Committee on Local Government.

House Bill No. 1350, entitled:

An Act to amend subsections B and C of Section 7 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by requiring members to serve without compensation and the treasurer to post a bond.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN SENATE BILL No. 548

He also returned to the Senate, Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

with the information that the House has passed the same without amendments.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 548, entitled:

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rule regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

SENATE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. FLEMING, from the Committee on Highways, to which was referred resolution offered by Messrs. Hare and Snowden, on June 8, 1953, reported the same without amendment as follows:

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE FACTORS RESPONSIBLE FOR HIGHWAY ACCIDENTS

In the Senate, June 8, 1953.

Whereas, Pennsylvania's highway system, comprising more than 40,000 miles, is the most extensive State highway system in the United States; and

Whereas, The Pennsylvania Turnpike is world-famous as the greatest toll highway ever constructed; and

Whereas, Millions of vehicles of all types annually travel the highways of Pennsylvania; and

Whereas, A joint legislative committee of this General Assembly has made extensive investigations and submitted a factual report on turnpike safety; and

Whereas, Much has been accomplished in the interests of safety by said joint legislative committee; and

Whereas, The said joint legislative committee has determined that the study of highway safety should be con-

tinued and should include the highway system generally, as well as the turnpike; and

Whereas, The Pennsylvania safety record is outstanding; yet, the concern is that the system shall be the safest in the world; now, therefore, be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission be directed to make a thorough andexhaustive study of the factors responsible for highway accidents and to formulate recommendations contemplating the reduction of such accidents; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations to the next regular session of the General Assembly.

The PRESIDENT. The resolution will lie upon the table.

SENATE RESOLUTION REPORTS FROM COMMITTEE

Mr. McPHERSON, JR., from the Committee on Insurance, to which was referred resolution offered by Mr. Wade, on May 13, 1953, reported the same without amendment as follows:

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO MAKE STUDY OF PENSIONS, PENSION FUNDS AND PENSION PLANS

In the Senate, May 13, 1953.

Whereas, Pensions, pension funds, and pension plans form perhaps one of the largest segments of the business conducted by life insurance companies, and, in addition, there exists hundreds of private pension plans in this Commonwealth, and because of the lack of adequate legislation regulating the same, no one knows the extent of this field nor the soundness of many of the plans, and

Whereas, In many cases they provide the only old age retirement security for thousands of our citizens, and

Whereas, Unless this Commonwealth enacts such legislation, the Federal government may gain control of this field through inaction on the part of the State, even though such control properly belongs to the individual states in accordance with the pattern established in all other segments and phases of insurance; now therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a thorough study of the state of pensions, pension funds and pension plans, public and private, in this Commonwealth with a view toward legislation saving control thereof for this Commonwealth as opposed to the Federal government; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations, together with drafts of proposed legislation necessary to effectuate the same to the General Assembly at its next regular session.

The PRESIDENT. The resolution will lie upon the table.

Mr. McPHERSON, JR. from the Committee on Insurance, reported as committed Senate Bill No. 481, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by extending the purposes for which certain companies may be incorporated.

He also, from the Committee on Insurance, reported as amended Senate Bill No. 590, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance; amending revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by adding thereto a new Article VII relating to title insurance; defining and providing for the organization of title insurance companies, the regulation and supervision of title insurance and the title insurance business of bank and trust companies, trust companies or other corporations; prohibiting the transaction of the business of title insurance except by title insurers, as defined, providing for the regulation of title insurance underwriters, as defined, prescribing the terms and conditions upon which foreign title insurance companies may be admitted, or may continue to do a title insurance business within the Commonwealth; conferring powers and duties upon the Insurance Commissioner and the Banking Department with respect thereto; imposing penalties and repealing certain acts and parts of acts relating to title insurance companies and the business of title insurance.

He also, from the Committee on Insurance, reported as amended Senate Bill No. 591, entitled:

An Act relating to the regulation of rates for title insurance which may be charged by title insurance companies, both domestic and foreign, banks and trust companies or trust companies having the power to make title insurances, and title insurance underwriters; to rating organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations and enforcing the provisions of this act; prescribing and regulatng the practice and procedure before the Insurance Commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for the enforcement thereof, repealing the act approved the eleventh day of June, one thousand nine hundred forty-seven (P. L. 538) insofar as it applies to title insurance, repealing inconsistent acts and continuing existing filings and proceedings.

He also, from the Committee on Insurance, reported as committed Senate Bill No. 639, entitled:

An Act requiring insurance companies to accept insurance premiums after thirty days after the premiums are due.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

Mr. WAGNER, from the Committee on Education, reported as committed Senate Bill No. 193, entitled:

An Act to amend section 263 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing electors, in certain cases, to present peti-

tions to the court for the submission to the electors of a question of merger of school districts.

He also, from the Committee on Education, reported as committed Senate Bill No. 194, entitled:

An Act to amend Section 251 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing electors to present petitions for submission to the electorate of a question of the formation of a union school district.

He also, from the Committee on Education, reported as amended House Bill No. 500, entitled:

An Act to amend the act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need burial contracts

Mr. KOPRIVER, JR., from the Committee on Local Government, reported as committed Senate Bill No. 586, entitled:

An Act to amend the title and Section 1 of the act, approved the seventeenth day of April, one thousand nine hundred forty-seven (P. L. 63, No. 29), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereof, if any; to construct buildings and faclities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," by extending the provisions of the act to cities of the second class of this Commonwealth.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 636, entitled:

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by further prescribing what taxes or license fees may be refunded or sued for.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 637, entitled:

An Act to repeal Section 518 of, and to add a new section 518.1 to the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments.

He also, from the Committee on Local Government, reported as committed Senate Bill No. 640, entitled:

An Act relating to county planning and the regulation of land subdivisions in counties other than counties of the first class; providing for the creation of planning, commissions, prescribing the powers and duties of the planning commissions, political subdivisions, certain public officers and public and quasi-public agencies within the respective counties and imposing penalties.

He also, from the Committee on Local Government, reported as committeed House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

He also, from the Committee on Local Government, reported as committed House Bill No. 1003, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second clas and amending revising consolidating and changing the law relating thereto" by providing for the appointment of boards of health and health officers prescribing their powers and duties providing for the enforcement of the administration of health laws by such board and officers providing for a president and secretary of such boards imposing duties on the Secretary of Health and providing for payments of expenses by townships

He also, from the Committee on Local Government, reported as committed House Bill No. 1282, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

He also, from the Committee on Local Government, reported as committed House Bill No. 1283, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by requiring corporate surety on certain bonds.

SENATE RESOLUTION REPORTED FROM COMMITTEE

Mr. MAHANY, from the Committee on Rules, to which was referred resolution offered by Mr. Dent, on June 8, 1953, reported the same with amendment as follows:

URGING INVESTIGATION OF THE AWARDING OF A CONTRACT TO MANUFACTURE GAS MASKS

In the Senate, June 8, 1953.

Whereas, a Pennsylvania manufacturing corporation, known as the Pennsylvania Rubber Company, situated in Jeannette, Pennsylvania, has been in the forefront in the manufacture of gas masks with the Chemical Warfare Division of the United States Government, and

Whereas, of recent date bids were opened for the renewal of the contract for manufacturing of gas masks and

the afore mentioned company was judged to be a lower bidder in a bid involving millions of dollars, and

Whereas, it appears contrary to good government and good business practice, the Chemical Warfare Division has awarded the contract for the manufacturing of gas masks to the Firestone Tire and Rubber Company for its plant at Falls River, Massachusetts, and

Whereas, the failure to receive this contract means a loss of employment of approximately 445 employes of the Pennsylvania Rubber Company which in turn will create a labor situation that will place this community in a serious distressed employment area, and

Whereas, the technicality on which the Firestone Tire and Rubber Company was awarded this contract was based upon an erroneous statement that Falls River, Massachusetts, was a greater distressed employment area, and

Whereas, the records show that Jeannette, Pennsylvania and Falls River, Massachusetts are both in the same relative category regarding employment, therefore be it

Resolved, that the Senate of Pennsylvania, call upon the Governor of the Commonwealth, John S. Fine, to contact the United States Senators Edward Martin and James H. Duff and each of the Pennsylvania Congressmen and request them to do everything in their power to correct the injustice on the allotment of this contract until a thorough investigation is made by a proper committee of the United States Congress, and further be it

Resolved, that a copy of this Resolution be sent immediately to the two United States Senators afore mentioned, and the United States Congressman afore mentioned and the President of the United States.

RULE 39 SUSPENDED

A motion was made by Mr. MAHANY and Mr. DENT,

That rule 39, which requires resolutions reported from Committee to lie over for one day be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

SENATE CONCURRENT RESOLUTION NO. 140 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Concurrent Resolution No. 140, introduced by Senator Hare and Senator Snowden on June 8, 1953, which was just reported from the Committee on Highways.

The Clerk read the resolution as follows:

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF THE FACTORS RESPONSIBLE FOR HIGHWAY ACCIDENTS

In the Senate, June 8, 1953.

Whereas, Pennsylvania's highway system, comprising more than 40,000 miles, is the most extensive State highway system in the United States; and

Whereas, The Pennsylvania Turnpike is world-famous as the greatest toll highway ever constructed; and

Whereas, Millions of vehicles of all types annually travel the highways of Pennsyvania; and

Whereas, A joint legislative committee of this General Assembly has made extensive investigations and submitted a factual report on turnpike safety; and

Whereas, Much has been accomplished in the interests of safety by said joint legislative committee; and

Whereas, The said joint legislative committee has determined that the study of highway safety should be continued and should include the highway system generally, as well as the turnpike; and

Whereas, The Pennsylvania safety record is outstanding; yet, the concern is that the system shall be the safest in the world; now, therefore, be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission be directed to make a thorough and exhaustive study of the factors responsible for highway accidents and to formulate recommendations contemplating the reduction of such accidents; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations to the next regular session of the General Assembly.

RULE 39 SUSPENDED

A motion was made by Mr. MAHANY and Mr. HARE,

That rule 39, which requires resolutions reported from Committee to lie over for one day be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION No. 41 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, at this time I call from the table Senate Resolution No. 41.

The Clerk read the resolution as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A THOROUGH STUDY OF PENSIONS, PENSION FUNDS AND PENSION PLANS.

In the Senate, May 13, 1953.

Whereas, Pensions, pension funds, and pension plans form perhaps one of the largest segments of the business conducted by life insurance companies, and, in addition, there exists hundreds of private pension plans in this Commonwealth, and because of the lack of adequate legislation regulating the same, no one knows the extent of this field nor the soundness of many of the plans, and

Whereas, In many cases they provide the only old age retirement security for thousands of our citizens, and

Whereas, Unless this Commonwealth enacts such legislation, the Federal government may gain control of this field through inaction on the part of the State, even though such control properly belongs to the individual states in accordance with the pattern established in all other segments and phases of insurance; now therefore be it

Resolved, That the Joint State Government Commisison is hereby directed to make a thorough study of the state of pensions, pension funds and pension plans, public and private, in this Commonwealth with a view toward legislation saving control thereof for this Commonwealth as opposed to the Federal government; and be it further

Resolved, That the Joint State Government Commission shall make a report of its findings and recommendations, together with drafts of proposed legislation necessary to effectuate the same to the General Assembly at its next regular session.

RULE 39 SUSPENDED

A motion was made by Mr. MAHANY and Mr. HARE,

That rule 39, which requires resolutions reported from Committee to lie over for one day, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF BOARD OF TRUSTEES SCOTLAND SCHOOL FOR VETERANS' CHILDREN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Lillian W. Stevenson, 768 Penn Avenue, Wilkinsburg, Allegheny County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, for the term of six years, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF SANITARY WATER BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Elmer A. Holbrook, 1543 Shady Avenue, Pittsburgh, Allegheny County, for reappointment as a member of the Sanitary Water Board, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Dr. Norman H. Topping, Philadelphia, from January 5, 1953, until May 13, 1954, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry W. Lorenz, 213-05 39th Avenue, Bayside, Queens, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years to compute from the date of confirmation.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roy C. Gregory, 307 West Market Street, Mercer, Mercer County, for appointment as Justice of the Peace in and for the Borough of Mercer, Mercer County, until the first Monday of January 1954, vice Thomas K. Miller, resigned.

JOHN S. FINE.

MEMBER OF CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eleanor F. M. Scattergood (Republican), 418 North Matlack Street, West Chester, Chester County, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Ellen W. Krauss, West Chester, whose term expired.

JOHN S. FINE.

MEMBER OF MILK CONTROL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles J. O'Loughlin, 1218 Wade Street, Aliquippa, Beaver County, for reappointment as a member of the Milk Control Commission, to serve until May 1, 1957, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred C. Groff, 502 North Front Street, Wormleysburg, Cumberland County, for appointment as Justice of the Peace in and for the Borough of Wormleysburg, Cumberland County, until the first Monday of January 1954, vice W. Scott Coble, resigned.

JOHN S. FINE.

REPORT OF THE PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Mr. WATSON. Mr. President, I submit the "Second Biennial Report of the Pennsylvania Commission on Interstate Cooperation to the Governor and the General Assembly of the Commonwealth of Pennsylvania, Session of 1953."

The PRESIDENT. The report will be noted in the Journal, and will be printed in full in the Appendix.

BILLS INTRODUCED AND REFERRED

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 662, entitled:

An Act to amend section 1 of the act, approved the twenty-third day of May, one thousand nine hundred forty-nine (P. L. 1803), entitled "An act fixing the compensation and mileage of county auditors in counties of the sixth and seventh class"; by changing the compensation of auditors of seventh class counties.

Which was committed to the Committee on Local Government.

Messrs. WATSON and DISILVESTRO read in place and presented to the Chair Senate Bill No. 663, entitled:

An Act authorizing the Department of Highways to consult, advise and render general direction to local governments in connection with studies and preliminary design plans of an expressway between the eastern terminus of the Pennsylvania Turnpike at Tullytown, Bucks County, and the projected Delaware River Bridge at Packer Avenue, Philadelphia, to enter into cooperative agreements with such local governments for studies and preliminary design plans, and to prepare a report containing specific recommendations concerning the financing of the same through tolls or otherwise, and to submit said report to the next session of the General Assembly.

Which was committed to the Committee on Highways.

Mr. McPHERSON, JR., read in his place and presented to the Chair Senate Bill No. 664, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing a route in Franklin County.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, the bill which I am about to present is co-sponsored by Senator Bane and myself. Senator Bane, of course, as you know, is from Fayette County.

Mr. President, this bill will provide for the construction of a highway or a toll bridge, or a bridge, across the Monongahela River from Allenport, in Washington County, to Fayette City, in Fayette County. Our action is brought about due to the multimillion dollar expansion of the Pittsburgh Steel Company, located at Allenport, in the County of Washington.

Mr. President, we, of course, realize the immense costs which are entailed in the construction of a bridge. However, we do feel that under the circumstances this legislation is justified, and it will authorize the Department of Highways to construct this bridge. I would appreciate very much if the Department of Highways would make a survey of this particular area, because I feel that they would approve the action which we are presenting here today in the form of this bill.

Mr. President, Allenport, in the County of Washington, is located on Pennsylvania Route No. 88, which is one of the main traffic arteries of the Highway Department in Washington County. Fayette City, in Fayette County, is located on Pennsylvania Route No. 711, which is a direct route to the Pennsylvania Turnpike Interchange at New Stanton. Should this bridge be constructed, I feel that it would add greatly to the economic development of Washington and Fayette Counties.

BILLS INTRODUCED AND REFERRED

Messrs. LANE and BANE read in place and presented to the Chair Senate Bill No. 665, entitled:

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to erect and maintain a bridge over the Monongahela River connecting the State highway system in Washington County with the system of State highways in Fayette County, and to provide the necessary approaches and connections with such State highways; empowering counties to pay certain damages; and making an appropriation.

Which was committed to the Committee on Highways.

Mr. LEADER read in his place and presented to the Chair Senate Bill No. 666, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a laboratory for poultry and animal disease research.

Which was committed to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION

RECALLING SENATE BILL No. 171 FROM THE GOVERNOR

Mr. PEELOR offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 9, 1953.

Resolved (if the House of Representatives concur), that Senate Bill No. 171, Printer's No. 63, entitled "An Act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, last week the Government Survey Committee, headed by Mr. Chesterman, wound up its functions and said good-by to Harrisburg. However, before doing so, it released a report or statement. Inasmuch as I inserted into the record all of the reports of the Task Forces, all the Newspaper Releases, I thought it was only proper that I present the last statement issued by the Government Survey Committee.

Mr. President, I want to read this report, because I think everybody in the Senate ought to hear what the committee had to say before it concluded its activities. I quote from its report. It is dated Wednesday, June 3, 1953.

"The State Government Survey Committee held its final meeting today at which time its budget and expenditures were reviewed and a final accounting made.

"The Committee unanimously reaffirmed its conviction that its recommendations constitute a soundly conceived and completely workable plan for increasing governmental efficiency and reducing governmental costs.

"Regarding the acceptance or nonacceptance of the recommendations contained in its report, the Committee had this to say:

" 'Reorganization of the state government of Pennsyl-

vania over the pattern of the Committee's report is not only possible but necessary if the best interests of the people of the State are to be served.

" 'Proper consideration and application of the recommendations of the report will reveal a sound program for more economical and efficient operation of the state government.

" 'The basic work of this report was done, not by the Committee itself, but by a group of some two hundred of the best qualified men and women in Pennsylvania, and their opinions merit respectful consideration.

" 'In carrying out its assignment from Governor John S. Fine the Committee followed a policy of:

" '1. Drafting the most competent men and women available in the Commonwealth to make the 26 studies involved in the survey;

" '2. Analyzing the various task force reports and making its own recommendations from the information contained therein; and

" '3. Reporting its findings and recommendations to the Governor in accordance with the directive of the Governor, objectively and without partiality; and submitting to the Governor copies of the original task force reports as well.

" 'In any consideration of a report of this character, it is most important that the proposals be looked at from the over-all viewpoint because of the magnitude of the changes contemplated in the basic governmental organization.

" 'There are in the Committee's report three basic recommendations which would in themselves tend to create a more efficient, less costly and better State government organization:

" '1. The establishment of a new Management Administration headed by an Executive for Administration reporting to the Governor and functioning in effect as a deputy to the Governor with respect to the administrative machinery and business operations of the government.

" '2. The establishment of a new Department of Accounting to formulate and operate a system of sound, modern governmental bookkeeping and accounting practices covering every administrative and operational unit of the state government.

" '3. The improvement of personnel administration by such steps as the adoption of a uniform classification system for all state employes, the revision of salary schedules in the light of current economic conditions, and the provision of job security for more professional and technical employes.

" 'The consideration of minor phases of the Committee's report in isolated fashion and without reference to the over-all plan will inevitably result in a distorted viewpoint towards the report as a whole.

" 'The support given the Committee's recommendations by Governor Fine, and the backing the report has received from newspapers in their editorial columns and from public-minded organizations and individuals throughout the State has been most gratifying.

" 'The reception accorded the Committee's report in the Legislature has been disheartening, to be sure. But we sincerely believe that when members of the Legislature have familiarized themselves with the suggested program in its entirety, they will approach it in a constructive frame of mine.

" 'It is perhaps unfortunate that the assignment of the Survey Committee to this task was so timed that its report—a report on an exceedingly complex subject—came at a time when the Legislature was in session and confronted with compelling financial problems, and consequently did not have the time to give the report the study it deserves.

" 'The Committee reiterates its position that with a will to do, it is possible to save a total of at least $100,000,000 during the period covered by the next three bienniums through adoption of the recommendations contained in its report.' "

Mr. President, I agree with the conclusions arrived at in this final report of the Chesterman Committee. I agreed with its recommendations, and for that reason voted for the bills that came before this Senate. If the recommendations, Mr. President, would have been followed, the people of Pennsylvania would have had everything to gain and nothing to lose. The worst that could have happened would have been the loss of probably several thousand political jobs.

Mr. President, I have but one criticism of the Chesterman Committee and that is the fact that it did not appear before the Senate Committee, or the Legislative Committee, which was set up to conduct the public hearings. However, even that failure to appear is to some extent excusable, and it is excusable because the committee was not properly invited and was not given sufficient time to prepare itself to come before the first hearing conducted by that Legislative Committee. Shortly after the first hearing, further hearings were disbanded and it was agreed that bills would be presented to the Legislature covering every one of the Chesterman Committee recommendations. I hope the Majority and Minority Leaders are listening to what I want to say now.

Mr. President, there is one bill, one of the most important bills in my opinion that was recommended by the Chesterman Committee, and that was a bill for the appointment of an Accountant General. Unless I am without knowledge of the bills which were reported from committee, I can say without fear of contradiction that a bill to set up an Accountant General in Pennsylvania was not released from committee for the consideration of this Senate at any time between the time the agreement was made to introduce bills to support all the recommendations and the present time. I call upon the Majority Leader, and I call upon this Senate, to release such a bill because I think it is the root of all the evils in our State Government.

Mr. President, I just want to read to you two paragraphs from the Task Force Report on the accounting system in the State Government. I quote from Release No. 21, February 15, 1953:

" 'The common weakness of the various accounting systems now in use by the State, is the fact that they are designed to show only cash receipts and disbursements. They do not distinguish between expenditures for operations and expenditures for permanent improvements. They do not include proper accounting for non-cash assets nor for obligations incurred but unpaid. They do not relate the measure of "benefits derived" to the "cost of producing" these benefits for comparable fiscal periods.

" 'Consequently, it is virtually impossible to obtain an accurate picture of the financial condition of the Commonwealth, and the Governor, the Legislature and the people are deprived of adequate means by which to manage, to control, and to judge the cost or effectiveness of the conduct of the State's affairs.' "

Mr. President, that is the gist or the guts of the whole State Government.

Mr. President, I just want to read from the Governor's Address to the Legislature, of February 23, 1953, in which he reiterated what I just said:

"The structure of your State Government has for some time outgrown efficiency and has promoted extravagance. Shortly after assuming office it was obvious to me, as it must have been to you, that much could be done to eradicate evils in your Government, and that the field was expansive for improvement of the State services.

"How such survey as the one before us could have been overlooked and been delayed until this Administration is quite confounding."

Mr. President, regardless of what I have said up to the present time, or regardless of how any of us have felt about the Chesterman Committee Report—some of us agreed with it, some of us disagreed with it—I still think we owe a debt of gratitude to the Chesterman Committee itself, and to the 200 or more people of Pennsylvania who gave of their time, gave of their energy and gave of their efforts without pay. I think we, the Members of the Senate, on behalf of the people of Pennsylvania, should thank them for their efforts and, accordingly, I am presenting a resolution, with the co-sponsorship of the distinguished Majority and Minority Leaders, Senators Mahany and Dent.

SENATE RESOLUTION

THANKS OF SENATE EXTENDED TO MEMBERS OF STATE GOVERNMENT SURVEY COMMITTEE

Messrs. YOSKO, MAHANY and DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate, June 9, 1953.

The pages of history recording the events of government ramble at length concerning the efforts of the various lawmakers to spend the national larder for the benefit of local interests. Seldom has there been recorded on these pages any serious effort on the part of the lawgivers or the citizenry to restore thrift and prudence to the agencies of government.

We in Pennsylvania are most fortunate, because from within our midst there arose a group of civic minded citizens who placed the economy of the state above our daily transactions and devoted months of their own time and effort to the task of preparing a comprehensive and complete survey of the functions of our State government.

Despite the many unkind barbs thrown at them, the work of this group is at least concrete evidence that waste and extravagance have had their day and that economy and sound business principals of administration are to replace them in our State government.

The immediate need for this change would not have become so apparent were it not for the selfless sacrifices of this group of conscientious citizens, therefore be it

Resolved, That the Senate hereby express its gratitude to the members of the State Government Survey Committee and to the many individuals who willingly gave of their services in order to prepare this monumental work, which shall stand as an example of unstinting devotion to the cause of better government; and be it further

Resolved, That the Secretary of the Senate send a copy of this resolution to the Members of the State Government Survey Committee.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, in order to keep the record straight, I noticed that Senator Yosko said that the bill, the so-called Chesterman Committee Bill, which would set up the Accountant General's Department, was referred to the Committee on Rules but never was reported out.

Mr. President, Senate Bill No. 373 provided for a Budget Secretary. It was called to my attention that this bill was, in fact, a companion measure to setting up the Accountant General's Bureau.

Mr. President, the History shows that Senate Bill No. 373 was reported as committed on March 31, after it was introduced on March 30, the day before. It passed first reading on March 31 and passed second reading on April 6. It was recommitted to the Committee on Rules on May 21, waiting for the bill which was being prepared by a certain Senator to set up an Accountant General's Department. I understand now there is legislation which is being introduced, and will be before us setting up this type of department.

Now, Mr. President, in line with the remarks made by Senator Yosko relative to the Government Survey Committee, I want to also add my thanks to the committee for the work which they did, and also to the various members of the Task Force. Senator Yosko, Senator Dent and myself have sponsored this resolution. which was passed, formally thanking the members of this committee and the Task Force.

Mr. President, the Pennsylvania Economy League has made a report concerning the Chesterman Report, and they entitled it, "The League Surveys a Survey." I do not want to take the time of the Members of the Senate to read this report in full, but I would like unanimous consent to have this report of the Pennsylvania Economy League printed in the Journal for the benefit of the Members.

Mr. President, I request unanimous consent to have this report printed in the Journal.

The PRESIDENT. The Chair hears no objection. The communication will be spread upon the Journal.

P. E. L.

NEWSLETTER

FOR WESTERN PENNSYLVANIA

Confidential—Not for Publication

VOL. XIX MAY 1953 No. 5

DISSECTING THE CHESTERMAN REPORT

The League Surveys a Survey

PENNSYLVANIA ECONONMY LEAGUE, INC.

Western Division

Union Trust Building

Pittsburgh 19, Pa.

PENNSYLVANIA ECONOMY LEAGUE, INC.

WM. W. BODINE, Chairman, State Board of Directors
GEORGE W. ROONEY, Chairman,
State Planning Committee
LESLIE J. REESE, Acting President

WESTERN DIVISION

EXECUTIVE COMMITTEE

Chairman

GEORGE W. ROONEY, Executive Vice-President—
Accounting United States Steel Corporation

Vice-Chairman

JOHN A. MAYER, Vice-President
Mellon National Bank and Trust Co.

EDWARD O. BOSHELL, President, Westinghouse Air Brake Company

MARK W. CRESAP, JR., Vice-President & Assistant to the President Westinghouse Electric Corporation

ROBERT C. DOWNIE, President, Peoples First National Bank & Trust Co.

E. J. HANLEY, President, Allegheny Ludlum Steel Corporation

B. F. JONES, III, Vice-President, Jones & Laughlin Steel Corporation

WILLIAM H. REA, Director, Pittsburgh Business Properties, Inc.

WM. P. SNYDER, III, Vice-President, Shenango Furnace Company

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WM. K. FITCH, Chairman of the Board Dravo Corporation

C. H. GOETZ, Treasurer, Manufacturers Light & Heat Company

J. STEELE GOW, Executive Director, Maurice and Laura Falk Foundation

R. B. HEPPENSTALL, President, Heppenstall Company

EDWIN HODGE, JR., President, Pittsburgh Forgings Company

OLIVER M. KAUFMANN, Vice-President, Kaufmann Department Stores, Inc.

P. H. McCANCE, President, Duquesne Light Company

P. H. POWERS, President, West Penn Power Company

A. W. SCHMIDT, Vice-President, T. Mellon and Sons, Pittsburgh

S. A. SWENSRUD, President, Gulf Oil Corporation

CURTIS M. YOHE, President, Pittsburgh & Lake Erie Railroad

ASSISTANT TREASURERS

PAUL H. BYERS, Building Manager, Mellon National Bank & Trust Co., Farmers Bank Office

RALPH J. MILLER, Vice-President and Secretary, Peoples First National Bank & Trust Co.

INTRODUCTION

The medieval alchemist was sure that there was some simple magic which would turn the base metals into gold, and many generations of men pursued the philosopher's stone which was warranted to turn the trick. So it is no new human trait to hunt a formula, a recipe of such undoubted virtue as to make difficulties melt away at a single application. We long for cure-alls, and are perpetually disappointed when the advance claims are not supported in the actual tests. This is particularly true in government, with its inevitable partisan distortions and its tendency in public debate to paint everything in midnight black or virginal white. Sadly, as each new team of administrators finds out and as the experienced political scientists learns, things are never again so easy as they appear in the campaign speech or the doctor's thesis.

Facts simply will not dissolve themselves through wish fulfillment dreaming.

All of which is preamble to the League's analysis of the Chesterman Report. Unveiled in stages like Salome, the Chesterman findings were pictured as producing savings of $100,000,000 in the State's biennial budget. Thus, it was generally surmised that these savings came two-thirds of the way toward solving the $157,000,000 deficit which was forecast in the Governor's budget. Since the Legislature is still in session many months later, with the States finances still unsettled, it is obvious that either the recommendations are not the magic formula of the publicity release, or that the House and Senate, in sheer obduracy, will not adopt them and put them into effect.

The League has made the Chesterman findings its principal order of business in recent months, and in this Newsletter, it tells what it has found. The age of miracles, we must state with regret, has not returned to the State Capitol. But if we find no miracles, we do find the opportunity for constructive work. The League is actively assisting the Governor in putting the practical recommendations of the Chesterman Report into operation, and it has furnished a vast volume of information to the legislative leaders who are at grips with the problems which the Report has raised.

LESLIE J. REESE, Director

DISSECTING THE CHESTERMAN REPORT

The League Surveys A Survey

A Matter of Names

Officially, it is the report of the State Government Survey Committee, appointed by the Governor to study the State government in all its branches and to recommend such changes as it believed would save money and improve services. Because of a ready analogy, the Survey Committee was frequently called the "Little Hoover Commission" but the final name which stuck was the Chesterman Committee. Mr. Francis J. Chesterman, former President of the Bell Telephone Company of Pennsylvania, was the Chairman of the group of seven distinguished Pennsylvanians who accepted the Governor's request that they administer the survey.

The study had its birth in the agony of the 1951 Legislative Session—the State's longest—where the Governor's budget and his tax program was alike attacked on the grounds that the State's needs had not been properly established, and that new taxes should not be voted until

there was proof that the Commonwealth was utilizing present income wisely and to its fullest purchase value in State services.

The Governor appointed the Survey Committee in 1952, and submitted its report to the Legislature on February 23, 1953.

The League Is Called In

Most of the recommendations of the Chesterman Report were dependent upon action of the Legislature, which, after the Governor's submission of the study, found that it had a job to do in analysis of the proposals it was being asked to adopt—a more involved and time-consuming job than most legislators have the opportunity to perform.

The legislative leaders, therefore, asked the League to assist in the tedious and expert work required to analyze the reports and to furnish abstracts which could serve as a guide to them in implementing the Committee recommendations with legislative action. The League's staff made this work its chief matter of business early in 1953. It not only examined the reports of the Chesterman Committee itself, but the voluminous findings of the "task forces" which were used by the Committee as its bird dogs. The League group made a separate analysis of each section of the report, summarized the recommendations, and deeloped pertinent queries on each of the recommendations, so that members of the Legislative Committee would be aided in their appraisal of the report. The League also divided the recommendations into those which could be instituted by administrative action and those which would require legislative and constitutional changes.

The League also made an exhaustive analysis of the estimated savings appended to each of the recommendations

What Happened to the $100,000,000

The Chesterman Report received State-wide newspaper attention. Before it was submitted in toto, newspaper releases of the Committee treated separate parts of the report. The releases included estimates of eventual savings that the recommendations could accomplish, and finally, these projected savings totalled $100,262,950.

That was an impressive and gratifying figure—much repeated about the State. At first glance, therefore, the Chesterman recommendations seemed like a substantial part of the answer to the State's fiscal problems, since the Governor's budget submitted to the Legislature in January showed a gap between requested appropriations and existing tax income of $157,000,000. If the projected savings could be effected, the gap between costs and revenues narrowed to a manageable area and a heavy increase in State taxation could be avoided.

Actually, the Committee did not claim that it could approach anything like a $100,000,000 savings in the 1953-55 biennium. Therefore, although the League found much that is constructive in the Chesterman Report, its widely heralded "savings" are not fully applicable as a remedy for the State's present difficulties.

Obviously, the Legislature cannot balance a current budget on savings expected to accrue in years to come.

The timetable as projected by the Chesterman report is as follows:

1953-55 biennium—$34,416,700 in savings
1955-57 biennium—$48,121,250 in savings
1957-59 biennium—$17,725,000 in savings

These figures are totals, affecting all the State's operations. But the State's difficulties are concentrated in its General Fund, and not in such special funds as Highways, Game Commission, Fish Commission, etc. The League refined the Chesterman Report's allocations of the projected savings to the General Fund and to special funds, and found that of the $34,416,700 which was projected in savings for 1953-55, only $22,500,100 was chargeable to the General Fund. And this figure is subject to still further reduction because the Governor, in the executive budget, took into consideration the savings which could be effected by administrative action without waiting for legislative approval. The administrative application of the Chesterman recommendations is calculated at $8,582,000 in savings.

Consequently, the net result is that legislative action on the Chesterman Report could—if all the claims of the Report are accepted—produce only $14,000,000 in savings applicable to the 1953-55 budget which is the Assembly's present concern.

While $14,000,000 is a lot of money, it is less than 10 per cent of the $157,000,000 gap which exists between the Governor's budget and the anticipated return from existing State taxes. In the League's opinion, it is unfortunate that public opinion focussed on the Chesterman Report's possible effect on the State's immediate financial problems rather than on its long-term benefits. The inevitable disillusionment has not been good for the reputation of the Report, and has tended to weaken its usefulness as a guide to constructive and long-term improvement of the State's administration.

Another Type of Breakdown

It is in the field of administration that the Report's recommendations have the most solid foundation and can most readily produce savings to the Commonwealth.

The League's analysts divided the Committee's estimates of savings attainable by 1960 in the General Fund—totaling $70,754,960—into three categories:

Changes in administrative methods and procedures, some of which require legislative approval—$27,270,250.

Changes in the governmental structure, all of which would require either legislative action or constitutional changes—$2,374,700.

Major changes in policy, such as the elimination of some State institutions, reductions in school subsidies, and changes in retirement policies—$41,110.000.

The Legislative Record

The Legislature's first action on the Chesterman Report was the creation of a committee representing both parties in the House and Senate to hold public hearings. The life of these hearings was brief. The authors of the Report took the position that the documents spoke for themselves, and that their work was over. Consequently, only opponents of the Report's recommendations appeared at the hearings, and they had something of a field day. A recommendation to merge the State Police and the Parole Board into the Department of Justice was the subject of the first hearing. The heads of all three agencies concerned were unenthusiastic, and were able to demonstrate that the $2,364,700 savings projected in the Chesterman Report—a precise ten per cent of normal spending requirements

of the agencies to be merged—was an illusion. Other testimony impeached the substantiality of such reorganization "savings."

After three hearings, the legislative leaders decided that the good features of the Chesterman Report were being imperiled by the proceedings. Opposition was snow-balling so fast as to reduce the chance of adoption of anything derived from the recommendations of the Survey Committee. Consequently, the hearings were adjourned and a new approach agreed to, whereby hearings would be held only when requested. Two such additional hearings were held.

Those parts of the Report which were subject to legislative action were drafted into bills and introduced in the Senate by the Majority and the Minority leaders. A total of sixty bills was prepared and introduced, of which about one-third passed the Senate. The others have been defeated or sent back to committees. Voting has tended to be nonpartisan and not subject to party discipline. This legislative outcome is not unexpected, nor should it be entirely discouraging to the members of the Chesterman Committee and others who are hopeful of constant improvement in the public services of the Commonwealth. The League has had the opportunity to study the various aspects of the Chesterman Report thoroughly, and it has had the benefit of intimate working relationships with legislative leaders. We have a considered judgment that the changes proposed in much of the legislaton are so far-reaching that the members of the Legislature quite properly are unwilling to accept them without more thorough study. There has been a readiness to accept procedural changes; there has been decided caution in moving toward reorganizations which might do more harm than real or hypothetical economies would warrant.

Nor has the Legislature been willing to make drastic changes in established policy simply because the proposals belong to the Chesterman "package." Sometimes, a close examination reveals that anticipated savings simply will not materialize, as in the case of the hospitals which the State operates in the coal regions. In this instance, the Report projected a $10,000,000 saving. But when the Legislature took note of a $3,000,000 revenue in patient payments which the State derives from the hospitals, and considered the State subsidies for which the hospitals would become eligible if they were turned over to local control and operation, the projected saving was reduced to a possible $4,000,000. The elimination of State teachers' colleges, reduction in State-aid to local school districts, and revision of the State retirement system are questions which the Legislature appears to believe are independent policy decisions, to be decided independently, and not to be adopted as adjuncts in a drive to effect economies and efficiency in State operations.

A separating process has been going on, which tends to divide the procedural, the reorganizational, and the policy features of the Chesterman Committee's recommendations.

The procedural improvements are the cream of the Report.

Change by Administration

The recommendation which lie in the field of administration are being progressively put into effect. These are the most feasible and constructive features of the Report, and the price-reduction tags placed on them have a firm relationship to reality.

Governor John S. Fine, who appointed the Survey Committee, has been most conscientious in carrying out its recommendations where he has the power to do so. The League has been happy to assist him and his administrative associates, particularly the Budget Secretary, in implementing the suggested improvements in the day-to-day conduct of the State's vast machinery of government.

In the first instance, the Governor issued a general directive to all department heads instructing them to adopt the recommendations of the Chesterman Report where they could be effected by administration action. He has followed that general order with specific action in a wide range of State activities. The assignment of State cars and the use of State gasoline; the collection of payments due for care of inmates of State institutions; the standardization and improvement of food purchasing and serving in State institutions are examples of the subject matter for the Governor's direction as the departments are being led to follow improved procedures recommended in the Chesterman Report.

The League believes that these are among the major solid substance of the Survey Committee's work, and it will continue to render all the assistance possible to the Governor and his staff in their accomplishment.

As to reorganization of departments, the Governor is asking the Legislature to confer such authority upon him in general legislative terms, much as the Federal Reorganization Law confers special powers upon the President.

The policy changes recommended in the Chesterman Report seem to be in for a hard time. They involve matters which are generally debated in every session of the Legislature, and invoke the interests of groups which generally have much influence in the legislative process. It is unlikely that sweeping changes in policy will be adopted without the careful deliberation to which any substantial change in public policy should properly be subjected.

The Net Result

Even the adoption of the Report "as is" and line by line would not give a substantial solution to the State's fiscal predicament for 1953-55.

It is possible, however, to draw upon the report for many constructive ideas which will improve the State's operations and serve as a general pattern for future State organization. That work is in progress, with full executive support, and the League is sharing in it. There is a lot of wheat, as well as some chaff, in the Report, and the League will work long and arduously in the threshing.

In the meantime, the League has made its technical facilities available to the legislative and administrative officials in arriving at a sound and workable solution of the State's fiscal dilemma.

PENNSYLVANIA ECONOMY LEAGUE, INC.

WESTERN DIVISION

WESTERN DIVISION STAFF

LESLIE J. REESE .....Director

DAVID H. KURTZMAN .....Assistant Director and Director of Research

JOHN W. INGRAM ....Co-ordinator of County Activities

N. LEROY ELWELL .....Educational Research

ALEX W. JOHNS .....Municipal Engineering

FRANCIS M. GEISLER .....Municipal Accounting
MRS. AMELIA R. FERI .....Office Manager
FRANK J. VOLPE .....Statistical Research
EDWARD E. SMUTS .....Administrative Research
M. K. CARMICHAEL .....Municipal Reporting
MRS. JEANNE M. SMITH .....Librarian

COUNTY BRANCHES—WESTERN DIVISION

ARMSTRONG COUNTY

Chairman, John C. McNees, Vice-President, Continental Clay Products Co., Kittanning
Executive Secretary, David F. Stafford, 137 S. Jefferson St., Kittanning

BEAVER COUNTY

Chairman, P. M. Moore, P. M. Moore Company, Inc., Aliquippa
Executive Secretary, James G. Williams, First National Bank Building, Rochester

BLAIR COUNTY

Chairman, Fred W. Miller, Manager, Sears, Roebuck & Company, Altoona
Executive Secretary, Gedeon A. La Croix, 2 First National Bank Building, Altoona

BUTLER COUNTY

Chairman, James B. Grieves, Executive Vice-President, Butler Savings & Trust Company
Executive Secretary, Charles R. Crawford, 612 Mellon Bank Building, Butler

FAYETTE COUNTY

Chairman, W. C. Mellott, President, Eureka Fire Brick Works, Mount Braddock
Executive Secretary, Carl E. Maier, Jr., 519 Second National Bank Building, Uniontown

GREENE COUNTY

Chairman, Albert A. Sayers, Sayers, Hawkins and King, Waynesburg
Executive Secretary, R. Otto Amann, 201 First National Bank Building Annex, Waynesburg

McKEAN COUNTY

Chairman, S. J. Brill, Secretary, Kendall Refining Company, Bradford
Executive Secretary, Robert D. Lord, I. O. O. F. Building, Bradford

MERCER COUNTY

Chairman, D. V. Sawhill, President, Sawhill Manufacturing Company, Sharon
Executive Secretary, Emery P. Sedlak, State and Walnut Building, Sharon

WASHINGTON COUNTY

Chairman, Earl V. Gear, Vice President, Peoples First National Bank & Trust Co., Charleroi
Executive Secretary, Neil C. Blanton, 507 Washington Union Trust Building, Washington

WESTMORELAND COUNTY

Chairman, R. J. Wilson, Manager, Mellon National Bank, New Kensington
Executive Secretary, Russell R. Jones, 610 First National Bank Building, Greensburg

INTERROGATION

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. BARR. Senator Mahany, can you tell me if the Republican Caucus took action today as to whether there will be a Session of the Senate next week?

Mr. MAHANY. Mr. President, as I understand it, we have not formally taken action other than to express our desire that there should be a Session next week. We also have to confer with the House, and we plan to confer with the House leadership tomorrow morning in my office, after which time, Senator Barr, I can answer your question a little more fully, not as to what our Caucus did but as to what will actually be done.

Mr. President, our present plan now, however, is to have a Session next week.

Mr. BARR. My reason, Mr. President, for asking that question is that—I do not know how accurate my information is, because there is so much inaccuracy up here on the Hill—I heard that the House was not going to be here next week, and I was wondering why I would have to come down if they were not going to be here.

Mr. MAHANY. Well, Senator Barr, we always like to see you down in Harrisburg, and I understand if the Senate comes back next week, that rooms are being provided out at that sumptuous place at Hershey, called the Hershey Hotel. So, if you come down I am sure that you will enjoy the surroundings out there.

Mr. BARR. At Harrisburg rates or Hershey rates?

Mr. MAHANY. Senatorial rates.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL No. 953, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the provisions thereof relating to public parks playgrounds and other recreation places and facilities and park and recreation boards.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's calendar.

BILLS INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING read in place and presented to the Chair Senate Bill No. 667, entitled:

An Act to further amend Section 2564 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by prohibiting deductions from appropriations to school districts of the fourth class for failure to pay tuition in certain cases.

Which was committed to the Committee on Education.

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WADE, WOLFE and HOLLAND read in place and presented to the Chair Senate Bill No. 668, entitled:

An Act making an appropriation to the American Battle Monuments Commission for the restoration and repair of certain memorials heretofore erected in France in honor of the citizens of Pennsylvania who served on the battlefields of France and Belgium and to perpetuate the memories of those who fell in World War I, and authorizing the Governor to appoint a person to supervise the work.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, on behalf of my colleague, Senator Camiel, and myself, I introduced yesterday a resolution to investigate the Delaware River Bridge Authority in regard to the present increase in rates from twenty cents to twenty-five cents.

Mr. President, at the time I introduced this resolution, I was not aware of the fact that in the resolution it said "Delaware River Bridge Toll Authority." That is a different Authority than the one I had in mind. I have, therefore, prepared a new resolution covering the correct Authority, which is the Delaware River Port Authority.

SENATE CONCURRENT RESOLUTION

COMMITTEE TO INVESTIGATE TOLL INCREASE PROPOSED BY DELAWARE RIVER PORT AUTHORITY

Mr. WEINER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WEINER and CAMIEL offered the following resolution which was twice read and referred to the Committee on Highways.

In the Senate, June 9, 1953.

The founding purpose of the Delaware River Port Authority was and is to provide bridge facilities without the expenditure of large sums from public revenues.

It was never intended that the private revenue of the motorist be depleted in order to avoid the use of public funds.

The Delaware River Port Authority has recently proposed a toll increase for the bridges under its jurisdiction; therefore be it

Resolved (if the House of Representatives concur) That the President Pro Tempore of the Senate and the Speaker of the House of Representatives of this Commonwealth, each appoint three members to serve as a committee to investigate the need for and the reasonableness of the proposed toll increase on the bridges under the jurisdiction of the Delaware River Port Authority and make a report of its findings and recommendations to the present General Assembly, as soon as practicable.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBERS OF BOARD OF TRUSTEES, ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Ashland State Hospital, for terms of four years, and until their successors are qualified:

Elmer McSurdy, Buck Run, Schuylkill County (Reappointment).

John Barrett, Pottsville, Schuylkill County (Reappointment).

George C. Shoemaker, 34 Hoffman Boulevard, Ashland, Schuylkill County (Reappointment).

Gregory G. Hubler, Gordon, Schuylkill County (Reappointment).

John J. Jones, 130 South Second Street, Frackville, Schuylkill County (Reappointment).

John H. Bilder, R. D. No. 1, Fountain Springs, Ashland, Schuylkill County (Reappointment).

Sol Fox, 1907 Mahantonga Street, Pottsville, Schuylkill County, vice Allen Glick, Ashland, resigned.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF BOARD OF TRUSTEES, SCOTLAND SCHOOL FOR VETERANS' CHILDREN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Lillian W. Stevenson, 768 Penn Avenue, Wilkinsburg, Allegheny County, for reappointment as a member of the Board of Trustees of Scotland School for Veterans' Children, for the term of six years, and until her successor shall have been appointed and qualified.

JOHN S. FINE.

MEMBER OF SANITARY WATER BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 26, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. Elmer A. Holbrook, 1543 Shady Avenue, Pittsburgh, Allegheny County, for reappointment as a member of the Sanitary Water Board, to serve until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

Dr. Norman H. Topping, Philadelphia, from January 5, 1953, until May 13, 1954, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Henry W. Lorenz, 213-05 39th Avenue, Bayside, Queens, New York, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New York, for the term of five years to compute from the date of confirmation.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roy C. Gregory, 307 West Market Street, Mercer, Mercer County, for appointment as Justice of the Peace in and for the Borough of Mercer, Mercer County, until the first Monday of January 1954, vice Thomas K. Miller, resigned.

JOHN S. FINE.

MEMBER OF CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Eleanor F. M. Scattergood (Republican), 418 North Matlack Street, West Chester, Chester County, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 1955, and until her successor is duly appointed and qualified, vice Mrs. Ellen W. Krauss, West Chester, whose term expired.

JOHN S. FINE.

MEMBER OF THE MILK CONTROL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles J. O'Loughlin, 1218 Wade Street, Aliquippa, Beaver County, for reappointment as a member of the Milk Control Commission, to serve until May 1, 1957, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, June 8, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred C. Groff, 502 North Front Street, Wormleysburg, Cumberland County, for appointment as Justice of the Peace in and for the Borough of Wormleysburg, Cumberland County, until the first Monday of January 1954, vice W. Scott Coble, resigned.

JOHN S. FINE.

MEMBERS OF BOARD OF TRUSTEES, ASHLAND STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Ashland State Hospital, for terms of four years, and until their successors are qualified:

Elmer McSurdy, Buck Run, Schuylkill County (Reappointment).

John Barrett, Pottsville, Schuylkill County (Reappointment).

George C. Shoemaker, 34 Hoffman Boulevard, Ashland, Schuylkill County (Reappointment).

Gregory G. Hubler, Gordon, Schuylkill County (Reappointment).

John J. Jones, 130 South Second Street, Frackville, Schuylkill County (Reappointment).

John H. Bilder, R. D. No. 1, Fountain Springs, Ashland, Schuylkill County (Reappointment).

Sol Fox, 1907 Mahantonga Street, Pottsville, Schuylkill County, vice Allen Glick, Ashland, resigned.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BERGER.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
DiSilvestro,	Leader,	Propert,	Weiner,

Diehm,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nominations submitted by the Governor on January 6, 1953, for membership on the State Advisory Council, Armory Board of the State of Pennsylvania and the State Athletic Commission.

The Clerk read the nominations as follows:

MEMBER OF THE STATE ADVISORY COUNCIL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maurice G. Paul, Philco Corporation, Philadelphia, for appointment as a member of the State Advisory council, to serve until terminated, vice J. Harry LaBrum, Esq., Philadelphia, Representative of the Employers, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Richard Brace, Plymouth, from January 5, 1953, until the third Tuesday of January 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE STATE ATHLETIC COMMISSION

George J. Jones, Williamsport, from December 22, 1951, for the term of two years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Leo Abernathy as a Member of the Pennsylvania Labor Relations Board, for the purpose of consideration at this time.

The Clerk read the nomination as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 6, 1953.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA LABOR RELATIONS BOARD

Leo Abernathy, Pittsburgh, from January 8, 1952, until June 2, 1955, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

CONSIDERATION OF EXECUTIVE NOMINATION

A motion was made by Mr. WATSON and Mr. BERGER,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bane,	Haluska,	McCreesh,	Stevenson,
Berger,	Hare,	McCusker,	Stiefel,
Blass,	Harney,	McGinnis,	Taylor,
Camiel,	Kephart,	McMenamin,	Toole,
Chapman,	Kessler,	McPherson, Jr.	Wade,
Crowe,	Kopriver, Jr.	Miller,	Wagner,
Dent,	Lane,	Pechan,	Walker,
Diehm,	Leader,	Peelor,	Watson,
DiSilvestro,	Madigan,	Propert,	Weiner,
Fleming,	Mahany,	Ruth,	Wolfe,
Freed,	Mallery,	Silvert,	Wood,
		Snowden,	Yosko,

NAYS—2

Barr,	Holland,

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

PERMISSION TO ADDRESS SENATE

Mr. HARE asked and obtained unanimous consent to address the Senate.

Mr. HARE. Mr. President and Members of the Senate,

on behalf of my distinguished colleague from Crawford County, Senator Mahany, and myself, I am introducing a series of bills concerning the penal and correctional institutions of the Commonwealth of Pennsylvania, which were drafted to effectuate the recommendations of the Governor's Committee.

BILLS INTRODUCED AND REFERRED

Mr. HARE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. HARE and MAHANY read in place and presented to the Chair Senate Bill No. 669, entitled:

An Act to repeal the act, approved the seventh day of April, one thousand nine hundred twenty-five (P. L. 188), entitled "An act authorizing and empowering the Department of Welfare to sell surplus products of prison industries to the Government of the United States, including all departments, bureaus, commissions, and other agencies thereof existing under acts of the Congress of the United States; and to the Government of any state or commonwealth of the United States; and to any county, city, borough, township, or other organized subdivision of any state or commonwealth of the United States; and to any institution maintained by, or receiving aid from, any state or commonwealth of the United States, or any organized subdivision thereof."

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 670, entitled:

An Act to repeal the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 304), entitled "An act authorizing and directing the Department of Welfare to pay from the manufacturing fund wages to all inmates in penitentiaries, reformatories, and other correctional institutions of the Commonwealth who perform labor necessary to the proper maintenance of such institutions and the inmates thereof, independent of payments provided by law for inmates directly laboring on industries therein."

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 671, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice; changing the title of certain boards of trustees and defining their duties.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 672, entitled:

An Act to repeal section six of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1044), entitled "An act to authorize and provide for the transfer and retransfer of person or persons confined in any penitentiary, prison, workhouse, house of correction, or any other institution for adult prisoners under sentence of law, to some other prison, pentitentiary, workhouse, house of correction, or other institution for adult prisoners," by eliminating transfers to the Central State Penitentiary at Rockview.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 673, entitled:

An Act to add sections nine hundred eleven, nine hundred twelve, nine hundred thirteen, nine hundred fourteen and nine hundred fifteen to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof, and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain powers of the Department of Welfare to the Department of Justice and imposing certain duties upon the Department of Justice.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 674, entitled:

An Act creating two districts in the Commonwealth for the administration of the State penal and correctional institutions, and repealing certain acts or parts of acts.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 675, entitled:

An Act creating certain penal and correctional institutions and boards of trustees; abolishing certain penal institutions; imposing duties upon the Commissioner of Correction of the Department of Justice; and providing for the costs of transportation and maintenance of inmates.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 676, entitled:

An Act relating to the more effective treatment of persons convicted of crime or committed as defective delinquents; creating in the Department of Justice, correctional diagnostic and classification centers; providing for the diagnosis and classification of persons sentenced or committed by the courts to a State institution; fixing the responsibility for costs of transportation and maintenance of such persons; prescribing duties of the courts and the powers and duties of the Department of Justice relative thereto; making civil and criminal laws applicable to penitentiaries. and persons therein or responsible therefor applicable in the case of the said institutions.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 677, entitled:

An Act to amend the title and section one of the act, approved the twenty-fourth day of March, one thousand nine hundred twenty-one (P. L. 48), entitled "An act providing for the transfer of convicts from the Eastern Penitentiary to the Western Penitentiary, and from the Western Penitentiary to the Eastern Penitentiary, and their imprisonment in the penitentiary to which transferred; imposing the cost of the maintenance of convicts so transferred upon the counties in which they were convicted; directing that certain notice of such transfer of a convict be given; and making appropriations," by eliminating reference to specific penitentiaries and placing the authority for making transfers in the Deputy Commissioner for Treatment of the Bureau of Correction of the Department of Justice.

Which was committed to the Committee on Judiciary General.

Mr. McCUSKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCUSKER read in place and presented to the Chair Senate Bill No. 678, entitled:

An Act to further amend Section 2 of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by exempting from such taxes, bequests and devises to charitable institutions and organizations.

Which was committed to the Committee on Finance.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 38, as follows:

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as last amended by the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1198) is hereby further amended to read as follows

Section 12 (a) Any person who possesses sells dispenses or gives away any drugs in violation of the provisions of this act shall be guilty of a felony and upon conviction thereof shall be sentenced as follows For a first offense to pay a fine not exceeding two thousand dollars ($2000) and to undergo imprisonment of not less than two (2) years and not exceeding five (5) years For a second offense or if in case of a first conviction of violation of any provisions of this act the offender shall previously have been convicted of any violation of the laws of the United States or of any other state territory or district relating to drugs to pay a fine not exceeding [four thousand dollars ($4000)] five thousand dollars ($5000) and to undergo imprisonment of not less than five (5) years and not exceeding ten (10) years and for a third or subsequent offense or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state territory or district relating to drugs to pay a fine not exceeding [six thousand dollars ($6000)] seven thousand five hundred dollars ($7500) and to undergo imprisonment of not less than ten (10) years and not exceeding thirty (30) years

Except in the case of conviction for a first offense for violation of the provisions of this subsection the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served

(b) Any person who shall violate or fail to comply with any of the other provisions of this act except as provided in the last paragraph of section eight shall be guilty of a felony and upon conviction shall be sentenced to pay a fine not exceeding two thousand dollars or to undergo an imprisonment not exceeding five years or both at the discretion of the court

(c) If the violation is by a corporation copartnership or association the officers and directors of such corporation

or the members of such copartnership or association their agents and employes with guilty knowledge of the fact shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 42, as follows:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11 of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 922) is hereby further amended to read as follows

Section 11 This act shall not apply to fraternal organizations national service organizations civic organizations or nonprofit corporations incorporated under the laws of the Commonwealth which have obtained and is maintaining an exempt status with the Director of Internal Revenue from the payment of income tax to the Federal government nor to religious organizations raising funds for religious purposes colleges schools universities or associations of alumni or alumnae thereof raising funds for fellowship or scholarship national service clubs or local associations raising funds for child welfare projects federated women's clubs labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports wit hthe Department of Public Instruction or with any other department or office of the Commonwealth nor to any war veterans' organization or any subordinate units thereof whenever the purpose for which it is soliciting funs has been approved by the Department of Military Affairs

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Bane,	Freed,	Madigan,	Silvert,
Barr,	Haluska	Mahany,	Snowden,
Berger,	Hare,	Mallery,	Stevenson,
Blass,	Holland,	McCreesh,	Stiefel,
Camiel,	Kephart,	McCusker,	Wagner,
Chapman,	Kessler,	McMenamin,	Walker,
Dent,	Kopriver, Jr.	McPherson, Jr.	Weiner,
Diehm,	Lane,	Pechan,	Wood,
Fleming,	Leader,	Peelor,	Yosko,

NAYS—3

Taylor,	Wade,	Wolfe,

A majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 54, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards authorizing the Department and local boards to disclose the identity of recipients of assistance and amounts received further defining "assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration

of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word as sistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided [from or with State funds only] to persons entitled under this act to assistance other than dependent children aged persons [and] blind persons and disabled persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Clauses (a) (c) and (d) of Section 4 of said act clause (a) and (d) of which were amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) and clause (c) of which was last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) are hereby amended or further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance

The Department of Public Assistance shall have the power and its duties shall be

(a) To allocate to the several assistance programs funds with which to provide assistance and funds for administrative expenses and as may be needed from time to time to keep reasonable emergency funds in the hands of local boards which shall be used subject to the rules regulations and standards of the department by the executive director for the furnishing of assistance and pensions respectively in emergency cases upon application to him or under the direction of any member of the local board

* * * * *

(c) To exercise general supervision of the local boards and to establish for such boards rules regulations and standards [as to accounting and as to forms records and reports so as to effect reasonable uniformity]

(d) To cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the department under this act and particularly in projects for child welfare for the relief of persons in areas of special need [and for the care of transient and homeless persons] and to make such reports in such form and containing such information as the [Social Security Board] Department of Health Education and Welfare of the United States Government or any other agency of the United States may from time to time require and to comply with such provisions as such department or agency may from time to time find necessary to insure the correctness and verification of such reports

* * * * *

Section 3 Section 5 of said act as last amended in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 5 Establishment of County Boards of Assistance (a) For each county of the Commonwealth there is hereby established a county board of assistance to be known as the County Board of Assistance which shall be composed of men and women to be appointed as hereinafter provided The board shall be composed as far as possible of persons engaged or interested in business social welfare labor industry education or public administration The members of the board shall serve without compensation but shall be reimbursed for necessary expenses No member of a board shall hold office in any political party Not all of the members of a bcard shall belong to the same poitical party

(b) Each board shal be composed of eleven members in counties of the first and second classes and of seven members in other counties In each county having a board of seven the Governor shall with the advice and consent of two-thirds of all the members of the Senate appoint two members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight two members to serve for the term ending December thirty-first one thousand nine hundred thirty-nine and three members to serve for the term ending December thirty-first one thousand nine hundred forty In each county having a board of eleven the Governor shall in the same manner appoint three members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight four members to serve for the term ending December thirty-first one thousand nine hundred thirty-nine and four members to serve for the term ending December thirty-first one thousand nine hundred forty After the original appointments any vacancy caused by the expiration of a term shall be filled by an appointment in the manner above provided for a term of three years and any vacancy otherwise caused shall be filled for the duration of the unexpired term by appointment in the same manner [No member of a board shall be eligible to serve for more than two consecutive terms] Any member of a board who has served all or any portions of three consecutive three-year terms as above specified shall be ineligible for further reappointment until after one full term has passed

(c) Each board shall organize annually and elect from among its members a chairman vice-chairman and a secretary

Section 4 Clauses (b 1) (b) relettered (c) and (o) of Section 7 of said act clause (b 1) of which was added by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) clause (b) or which was relettered (c) and clause (o) of which was added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

* * * * *

(b 1) To administer public assistance in the county and determine the eligibility [of applicants] for assistance of applicants and continued eligibility for assistance of persons receiving the same in accordance with law and the general principles and policies determined by the State Board of Public Assistance

* * * * *

(c) To conform to the rules regulations and standards established by the Department of Public Assistance [as to accounting and as to forms records and reports]

* * * * *

(o) [To make available for inspection and examination during office hours to any taxpayer in such manner as the county board of assistance may prescribe the names addresses and amount of assistance granted to all persons then receiving general assistance]

Upon request by any adult resident of the Commonwealth to furnish the address and amount of assistance with respect to persons receiving assistance about whom

inquiry is made but such information shall not be used for commercial or political purposes

Section 5 Clause (j) of Section 7 of said act as added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby repealed

Section 6 Section 9 of said act as last amended in part by the acts approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) the sixteenth day of May one thousand nine hundred forty (1941 P. L. 945) the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 475) the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 546) the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 767) and the eighteenth day of January one thousand nine hundred fifty-two (P. L. 2157) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and the Department of Public Assistance shall grant assistance without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one year immediately preceding the date of making application for assistance such person shall only be entitled to receive public assistance if he or she was last a resident of a state which by law regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has resided therein for less than one year A child less than one year of age is considered as deriving residence from either (1) a parent or (2) other relative with whom he is living as hereinbefore provided in this section Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the Commonwealth if a domicile has not been acquired outside the Commonwealth.

(a) Dependent children A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home [and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately peceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child] Any one such relative who is in need of assistance to provide a decent and healthful standard of living for himself and the dependent child or children maintained in his home and who is not receiving any other assistance under the provisions of this act shall be eligible for assistance under this subsection provided such relative meets the requirements of the first paragraphy of this section

So long as required as a condition of federal participation assistance shall not be denied a child less than one year of age if the parent or other relative with whom the child is living has resided in the Commonwealth for one year immediately preceding the child's birth

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine] is sixty-five years of age or more (2) [resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3)] is not at the time of receiving assistance an inmate of a public institution and [(4)] (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making such application

[Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth]

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten two-hundredths or less normal vision (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4)] is not receiving any other assistance [as an aged person] during the period for which he is receiving assistance as a blind person [(5)] (4) is not [at the date of making application] an inmate of any prison joil insane asylum or any other public reform or correctional institution The pension of a blind person shall be fifty dollars ($50) per month Provided That any blind person with an actual income of one thousand seven hundred sixteen dollars ($1716) or upwards and any blind person having (1) real property with an assessed valuation of over five thousand dollars ($5000) or (2) personal property with an actual value of over five thousand dollars ($5000) or (3) a combination of real and personal property with a total valuation of over five thousand dollars ($5000) the valuation of the real property to be determined by its assessed valuation the valuation of the personal property to be determined by its actual value is not entitled to such pension The interest of a blind person in any property owned by the entireties shall be deemed to be a one-half interest And provided further That where a blind person has an income of less than one thousand seven hundred sixteen dollars ($1716) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand seven hundred sixteen dollars ($1716) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such person shall receive pensions out of the moneys appropriated by this Commonwealth

(c 1) Disabled Persons A disabled person is defined as one who (1) is between the ages of eighteen and sixty-four inclusive (2) is permanently and totally disabled and (3) is not at the time of receiving assistance an inmate of a public institution

(c 2) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district

(d) Other persons who are citizens of the United States and [who have a settlement in Pennsylvania and] all aliens who have within two years previous to the first

day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and who [have a legal settlement in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity] are not inmates of a public institution at the time of receiving assistance

[(e) Any person within any group defined in this section who has a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement]

[(f) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district]

Section 7 Section 11 of said act is hereby repealed

Section 8 Subsection (b) of Section 12 of said act is hereby amended to read as follows

Section 12 Federal Contributions Restitution

* * * * *

(b) So long as required as a condition of Federal participation [one-half] of the net amount collected or recovered by way of restitution from any [aged] person or from his estate by or for the Department of Public Assistance for any assistance received to which the Federal government contributed there shall be promptly paid to the United States an amount equal to its proportionate share of the amount collected or recovered and the remainder thereof shall be paid into the State Treasury and shall be credited to the current appropriation to the Department of Public Assistance as provided by law

Section 9 Section 13 of said act subsections (a) and (b) as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) and subsections (c) and (d) of which were added by the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 398) and another subsection (c) of which was added by the act approved the twenty-fifth day of July one thousand nine hundred forty-one (P. L. 509) is hereby further amended to read as follows

Section 13 Penalties (a) Any person who either prior to or at the time of or subsequent to the application for assistance by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding [five hundred dollars ($500.00)] one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding [six months] one (1) year or both at the discretion of the court and also shall be sentenced to make restitution of any moneys he has received by reason of any such false statement misrepresentation impersonation or fraudulent means

(b) Any person in the employ of any county board who either directly or indirectly influences or endeavors to influence the vote of any person receiving or applying for any form of assistance or pension under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred ($100) dollars or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(c) The Department of Public Assistance shall have power and authority to make and enforce rules and regulations

(1) To insure the names and lists of applicants and recipients or persons applying for or receiving assistance of any type [covered by the public assistance provision of the Federal Social Security Act] against improper publication or use for commercial or political purposes except that upon request by any adult resident of the Commonwealth the Department may furnish the address and amount of assistance with respect to persons about whom inquiry is made

(2) To restrict the use of [such] information furnished other officials departments or persons to purposes connected with the administration of public assistance except information concerning the name address and amount of assistance of persons receiving assistance

(3) To afford adequate protection to the rights and interests of persons with respect to whom personal or confidential information is in its possession

(4) All such rules and regulations shall be kept on file with the department and shall be open to the public

(5) Such rules and regulations shall not prevent or interfere with investigations by the proper authorities as to the rights of individuals or groups to receive such assistance or aid or the amount of the same

(d) Any person knowingly violating any of the rules and regulations of the department made in accordance with this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(e) Any person who either prior to or at the time of or subsequent to the application for assistance by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure assistance not exceeding three hundred dollars ($300) under this act shall upon conviction thereof in a summary proceeding be sentenced to make restitution of such assistance and to pay a fine of not more than two hundred dollars ($200) and in default of making restitution and the payment of the fine imposed to undergo imprisonment not exceeding sixty (60) days

[(c)] (f) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition thereto he shall be sentenced to pay a fine not to exceed one thousand dollars ($1000) and to imprisonment not to exceed one (1) year or both

Section 10 The act approved the first day of May one thousand nine hundred forty-five (P. L. 370) entitled "An act relating to settlements abolishing settlement and residence as a factor in eligibility for receiving public assistance or liability of the Commonwealth or any political subdivision thereof for granting assistance and repealing inconsistent legislation" is hereby repealed

Section 11 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. KEPHART. Mr. President, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Mr. BANE. Mr. President, I would like to know how I am recorded as having voted.

The PRESIDENT. The gentleman from Fayette is recorded as voting "no."

Mr. BANE. Thank you, Mr. President.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Berger,	Hare,	McCusker,	Taylor,
Blass,	Kephart,	McMenamin,	Wade,
Camiel,	Kessler,	McPherson, Jr.	Wagner,
Chapman,	Kopriver, Jr.	Pechan,	Walker,
Diehm,	Madigan,	Peelor,	Watson,
Fleming,	Mahany,	Propert,	Wolfe,
Freed,	Mallery,	Snowden,	Wood,
Haluska,	McCreesh,	Stevenson,	Yosko,

NAYS—8

Bane,	Dent,	Leader,	Stiefel,
Barr,	Lane,	Silvert,	Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 59, as follows:

An Act to further amend Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by making certain aged persons hereafter placed in county homes eligible for assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amended by adding thereto a new clause (g) to read as follows

Section 9 Eligibility for Assistance

* * * * *

(g) Any aged person sixty-five years of age or over hereafter admitted to a county home and who at the time is receiving assistance shall continue to receive such assistance which shall be applied by the county home towards the maintenance of such person

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 83, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey the Executive Mansion and two other properties in Harrisburg Dauphin County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the property at No 311 North Front Street in the city of Harrisburg Dauphin County Pennsylvania known as the Executive Mansion and the two plots of land now owned by the Commonwealth and situate at the south-east corner of Front and Maclay Streets in the city of Harrisburg Dauphin County together with the buildings erected thereon

Section 2 The deed or deeds of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The money received by the Commonwealth as consideration for the sale or sales and conveyances shall be credited to the General Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 156, as follows:

An Act to further amend clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pension for the blind old age assistance and the State Emergency Relief Board" by providing that where the Commonwealth assigns to a third party any lien or obligation secured for repayment of public assistance the assignee can collect thereon only the amount he paid to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public ssistance and county boards of assistance hereby created for this purpose authorizing the Department of Public ssistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance

The Department of Public Assistance shall have the power and its duties shall be

* * * * *

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent Provided That whenever a recipient of public assistance as a prerequisite to receiving assistance or otherwise has been required to encumber in favor of the Commonwealth any property or to give any bond note or other obligation in any sum to secure the repayment of moneys received as assistance or for any other purposes and such bonds notes judgments mortgages or other obligations are thereafter assigned by the Commonwealth to any third party the assignee shall not be entitled to collect and the person liable for the payment of the lien or obligation shall not be liable for the payment of any amount greater than the amount the assignee paid for the assignment notwithstanding the face amount of such lien or obligation This provision shall not be effective as to the collection of interest accruing after the date of the assignment or costs of collection

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 290, entitled:

An Act providing for and regulating the licensing and practice of practical nursing and imposing penalties

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, with reference to Senate Bill No. 290, I realize, as most of you do, that speeches do not make any votes, in fact, oftentimes they may cost you votes. I am not trying to change any votes, but I will try to clarify this bill in case some Members of this body may not have their minds made up entirely as to what this bill may do.

Mr. President, I wish I could speak to you not as a Member of this body, but as one who is dealing directly

with human life. However, through the medium of my office, I have this opportunity to speak to you as a hospital administrator. We have in this Commonwealth today a shortage of Registered Nurses, and every hospital administrator recognizes that fact. This bill, fortunately, has the blessing and endorsement of the State Medical Association, this bill has the endorsement of the State Nurses' Association and this bill has the blessing of the Practical Nurses' Association.

Mr. President, there is, however, a group of people in the Commonwealth who are viciously opposed to this measure. That opposition stems from a few private trade schools who have in the past and in the present, for their own selfish purposes, conducted a school and given diplomas to people on the basis of being trained for 120 hours, or fifteen days. They take the position that a person can be trained to be a practical nurse in fifteen days.

Mr. President, nothing is closer or sweeter than life itself One may possess all the worldly goods at his command, but if he does not possess health, it means nothing to him. We have set up standards, we have set up boards dealing with every phase of life, but now we find a certain standard we are asking for, dealing with life itself, and for some unknown reason we still find certain people who cannot quite make up their minds as to the wisdom of the passage of this bill.

Mr. President, you know, as I said a moment ago, that no person can qualify to heal the sick in a period of fifteen days. We have our doctors who deal with our patients; we have our graduate nurses; then we have the Red Cross, who recognizes the need of additional help. They have courses, but in their good wisdom they do not call them practical nurses. They call them the gray ladies. Every hospital has a class in training nurses' aids. They can be of great help and great use in helping the hospital administration, but I cannot see for the life of me how we can stand by idly and permit these private trade schools to give diplomas, stating that these people are qualified to heal the sick after fifteen days of schooling.

Mr. President, we all recognize the fact that to go to college to learn any course takes a period of four years. The R. N. devotes three and one-half years to qualify herself, but then this group insists that they can do the job in fifteen days.

Mr. President, I am sure that if one of us were at a bedside and witnessed what takes place, we would think twice of how to vote for this bill. Today, we have as high as thirty patients being assigned to one graduate nurse, and she must depend wholly upon the help they may give her through a practical nurse. You will find one or two practical nurses working with one R. N., taking care of thirty or forty patients.

Mr. President, this bill is important. It will set up certain standards. It will inform us, when we are in need of hiring personnel, just who is who. I trust that the members of this body can see their way clear and vote for this measure, to enable us to take care of the sick. Lord knows, we need them; we need this type of help. I am asking for your support on the basis of one who deals directly with humanity every day. Gentlemen, I deal directly with them, and I am telling you of the great need for this type of a bill, and I trust that my colleagues can see their way clear to vote "yes" for this measure.

Mr. PECHAN. Mr. President, as a co-sponsor of this bill, I would like to say a few words about the bill. I think there is a dire necessity for it. It is not only going to relieve the nursing shortage that we have in the Commonwealth and in our hospitals—I have a memorandum here from a Philadelphia School of Practical Nursing, whose method has been to teach these people to become a practical nurse by mail. I just want you to listen to this propaganda which they send out:

"Senate Bill 290 possibly is an asset to small towns of Pennsylvania, such as Johnstown, Altoona, Oil City and so forth. However, it is extremely detrimental to large municipalities such as Philadelphia, Pittsburgh and the like. For the sake of public health, Senator, please help defeat this bill."

Mr. President, I wonder if we, in the small towns, are built differently than the people are in Philadelphia or Pittsburgh, or whether the nursing care that we get in the small towns is not as important as it is to the larger communities.

Mr. President, I have another letter from them saying that it is going to drive these correspondence schools out of business. I think if the bill does not do anything else, it certainly should drive this type of a school out of business, because certainly by mail you cannot learn how to take care of the sick.

Mr. President, that is all I want to say. I hope my colleagues on both sides of the aisle can see it the way I see it; that there is a dire necessity for this type of legislation. It is not only a protection to the patient, but it is also a protection to he profession.

And he question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred):

Mr. HALUSKA. Mr. President, I desire to change my vote from "aye" to "No."

The PRESIDENT. The gentleman from Cambria will be so recorded.

Mr. McMENAMIN. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman from Lackawanna will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—21

Bane,	Hare	Mahany,	Silvert,
Barr,	Holland,	Mallery,	Stiefel,
Blass,	Kopriver, Jr.	Miller,	Wagner,
Camiel,	Lane,	Pechan,	Wolfe,
Chapman,	Leader,	Peelor,	Yosko,
Dent,			

NAYS—17

Berger,	Kessler,	McPherson, Jr.	Wade,
Diehm,	Madigan,	Snowden,	Walker,
Fleming,	McCusker,	Stevenson,	Watson,
Freed,	McMenamin,	Taylor,	Wood,
Haluska,			

Less than a Constitutional majority of all the Senators having voted "aye," the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreably to order,

The Senate proceeded to the third reading and consideration of House bill No. 292, as follows:

An Act to amend Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1515 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1515 [U S] Constitution and Government to Be Taught In all public private or parochial schools there shall be integrated in the social studies curriculum a study of the Constitution of the United States the Constitution of Pennsylvania and the structure of government in the United States including studies of each important elective and appointive office of the borough city county and township form of local government and of the State and Federal governments Such instruction [in the Constitution of the United States] shall begin not later than the opening of the [eighth] ninth grade and shall continue in the high school course and in courses in the State teachers' colleges to an extent to be determined by the Superintendent of Public Instruction

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 343, Printer's No. 128, on third reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 480, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" by defining certain terms imposing powers and duties on the Department of Welfare, providing for appeals requiring reports concerning receiving children for adoption and investigation thereof changing contents of petition for adoption providing procedure for the voluntary relinquishment of and for the finding of abandonment of certain children elminating certain consents to adoption and further providing for hearings and investigatory powers of the court.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, on behalf of Senator McCreesh and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1) page 3, line 19 by inserting at the end thereof: No religious institution or society, agency, service institution or similar organization conducted or operated by any religious order or church shall be required to meet the standards of approval provided herein but may do so only at its discretion."; Amend Sec. 1 (Sec. 1) page 4, line 6, after the word "heavy" and before the word "the" by inserting the words: "de novo"; Amend Sec. 1 (Sec. 1) page 4, line 12, by adding at the end of said line: "The Court shall not be bound by any findings of fact made by the department."; Amend Sec. 1 (Sec. 1) page 6, by inserting between lines 13 and 14: "The provisions of this subsection shall not be applicable to any religious institution nor to any society, agency, service institution or similar organization conducted or operated by any religious order or church."

On the question,

Will the Senate agree to the amendments?

Mr. WALKER. Mr. President, may I suggest to the gentleman of the Senate that they vote for these amendments so that the amendments can be printed in the bill? Then the bill with the amendments in it can be studied further by the Senate, in order to see if we have effectively accomplished the thought that was in the minds of the group studying this particular phase of the proposed legislation.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL POSTPONED

Mr. McCREESH. Mr. President, I move that Senate Bill No. 480, on third reading, be placed on the Third Reading Postponed Calendar, as amended.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by permitting temporary restraint of one alleged to be mentally ill

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section (d) of Section 326 of the act approved the twelfth day of June one thousand nine hundred fifty-one (P. L. 533) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 2053) is hereby further amended to read as follows

Section 326 Petition of Commitment

* * * * *

(d) Every such petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians except in the case of a mental defective or an epileptic when only one such certificate need be attached

In any case where it appears to any judge of the court that a reasonable necessity exists for temporary restraint of one alleged to be mentally ill to permit an examination of such person by two qualified physicians to determine the propriety of such certificate the judge may by proper order directed to any proper person or officer require restraint of the alleged mentally ill person in any suitable place for a period not to exceed six hours prior to the examination and twenty-four hours thereafter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I have studied this bill quite thoroughly and what it does is amend the Act of June 12, 1951, providing that, on line 15, page 2, "In any case where it appears to any judge of the court that a reasonable necessity exists for temporary restraint of one alleged to be mentally ill to permit an examination of such person by two qualified physicians to determine the propriety of such certificate the judge may by proper order directed to any proper person or officer require restraint of the alleged mentally ill person in any suitable place for a period not to exceed six hours prior to the examination and twenty-four hours thereafter."

Now, Mr. President, I am quite sympathetic with what the gentleman is trying to do. However, it seems to me that this amendment is quite broad, because we can interpret this law so as to mean that we might have to commit the mentally ill to a County Home. I do not think we want that because a County Home is a place for aged, indigent individuals and we do not want anyone who is violently insane to be committed there. That may be the case under the provisions of this amendment.

Therefore, Mr. President, I ask my colleagues to vote "no" on this bill.

Mr. BLASS. Mr. President, this is one of the most constructive bills that has been introduced in this Senate this Session. It will correct a bad situation that is existing all over the Commonwealth of Pennsylvania.

Mr. President, at the present time, it is almost impossible for two physicians to examine a person who is alleged to be suffering from mental illness in order to get his admission permanently into a mental institution. At the present time, throughout the State, on account of the fact that this law is not in effect, it is necessary to prefer a criminal charge against the person alleged to be mentally ill in order that he be temporarily restrained.

Mr. President, this bill will prevent and eliminate that procedure of bringing criminal charges in order to temporarily restrain the party until he has had the proper examination made by the two physicians. Instead of throwing him into jail, this bill now will permit the temporary detention for at least six hours, and not more than twenty-four hours after the examination of such person, until the facilities are made for the proper admission to the mental institution.

Mr. President, this bill also has the approval of the President-Judge of the Courts of Erie County, and I am informed that it also meets with the approval of most of the courts throughout the State, and, particularly, will relieve a situation which is presently existing in Allegheny County along the same line which exists in the County of Erie.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Erie, Senator Blass.

The PRESIDENT. Will the gentleman from Erie, Mr. Blass, permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. DENT. Mr. President, one thought comes to my mind. Those County Homes, or the County Institutions, have no facilities for this type of person. Would it necessitate the building of facilities? Would it necessitate the employment of special persons to handle this type of an inmate?

Mr. BLASS. Mr. President, in answer to the Minority Floor Leader, this bill provides for the detention in some suitable place. It does not have to be in the County Home. It can be in the court house; it can be any place where the person can be examined by the two physicians in order to determine whether or not he is mentally ill, as alleged in the petition.

Mr. DENT. Mr. President, may I further interrogate the gentleman from Erie, Senator Blass?

The PRESIDENT. Will the gentleman from Erie, Mr. Blass, permit himself to be further interrogated?

Mr. BLASS. I will, Mr. President.

Mr. DENT. Mr. President, would the Dauphin County Judges be allowed to send them up to the Senate?

Mr. BLASS. Mr. President, that is a question I cannot answer.

Mr. LANE. Mr. President, Senator Blass just answered the point which I was trying to make. It does not say where these mentally ill are to be restrained. In the County of Washington, it would be either one of two places; either the County Jail or the County Home.

Mr. President, I say to you that each and every one of you gentlemen here represent counties throughout this Commonwealth. I do not believe that the counties want to go into the business of caring for the mentally ill. This is a step in that direction, and it is dangerous. It is dangerous for us to have a law on the statute books which would permit someone to commit a violently insane person to a County Home. It is ridiculous even to consider it.

Mr. President, I say to you gentlemen here today that regardless of your political affiliation, you have a responsibility to the public as a whole, and we should vote "no" on this. This is a ridiculous amendment. It is too broad.

Mr. BLASS. Mr. President, this bill says that the detention shall be at a suitable place. If he says that the county home is not a suitable place, then it would not be a place as specified in the bill.

Mr. President, this bill would prevent a member of your family from being thrown into jail, which is the law at the present time, in order to permit the examination. When this bill is passed by both the House and the Senate, and signed by the Governor, you will no longer have the necessity for these people being thrown into jail, because you will have the examination conducted at a suitable place where it will be in propriety with the wishes of the family and with the best interests of the people.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Erie, Senator Blass.

The PRESIDENT. Will the gentleman from Erie, Mr. Blass, permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. LANE. Senator Blass, could you tell me how the County of Erie would operate under the provisions of this amendment? Where would they be taken?

Mr. BLASS. Senator Lane, if you would like to read the statement from the President Judge of Erie County, from his experience over fourteen years as President Judge of that county, I will be very glad to read you the letter, in which he says that there is a very dire necessity to have this bill.

Mr. LANE. Mr. President, the gentleman did not answer my question.

Senator Blass, where would Erie County restrain these mentally ill persons?

Mr. BLASS. We have plenty of places and plenty of rooms where this examination can be conducted. Particularly, it could be conducted in the Commissioners' Room in Erie County, on the first floor.

Mr. LANE. Mr. President, I doubt very much whether the County Commissioners of Erie County would want to detain a mentally ill person in the County Commissioners' office for a period of six hours or up to twenty-four hours. It seems sort of ridiculous.

Mr. President, in our County of Washington, the courts have taken the position that a prison is no place for persons who are ill. Those who are alleged to be mentally insane have not committed a crime. We could, therefore, not commit them to the county jail. They do not pursue that practice. It would mean that they would be committed to the Institution District. The County Home would be the only place, outside of an individual's home. If they are violently mentally ill, we certainly would have a problem.

Mr. President, I think this amendment is too broad under any circumstances, and we should vote "no" on it.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WOOD. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from Luzerne will be so recorded.

Mr. LEADER. Mr. President, I desire to change my vote from "no" to "aye."

The PRESIDENT. The gentleman from York will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Kessler,	McPherson, Jr.	Taylor,
Blass,	Kopriver, Jr.	Miller,	Wagner,
Chapman,	Leader,	Pechan,	Walker,
Diehm,	Madigan,	Propert,	Weiner,
Fleming,	Mahany,	Silvert,	Wolfe,
Freed,	McCusker,	Snowden,	Wood,
Hare,	McMenamin,	Stevenson,	Yosko,

NAYS—9

Bane,	Dent,	Holland,	McCreesh,
Barr,	Haluska,	Lane,	Stiefel,
Camiel,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 544, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to filling of vacancies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 315 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1332) is hereby further amended to read as follows

Section 315 Filling of Vacancies In case any vacancy shall occur in any board of school directors by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class or of the first class A be filled for the unexpired term by the court of common pleas of the county in which such school district is situated and in a school district of the second third or fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office [if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment At such election an eligible person shall be elected] for the remainder of the unexpired term If by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors within thirty (30) days after such vacancy shall have occurred the court of common pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term When any member of a board of school directors heretofore or hereafter enlists or is inducted into the military

or naval forces of the United States in time of war a temporary vacancy shall be declared which shall be filled by the remaining members of the board or the court as the case may be until the return of such member of the board from the military or naval service or until the expiration of the term for which he shall have been elected whichever shall be the shorter period

Section 2 Sections 316 and 317 of the act as amended by the acts approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1139) and the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1332) are hereby further amended to read as follows

Section 316 Vacancies in Majority of Members In case vacancies occur whereby the offices of a majority of the members of any board of school directors other than the board of school directors of a school district of the first class or of the first class A becomes vacant such vacancies shall be filled by the court of common pleas of the county in which such school district is situated The persons selected to fill such vacancies shall hold their offices [if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election eligible persons shall be elected to fill] for the unexpired terms

Section 317 Vacancies in All Members If at any time vacancies exist or occur in the membership of all the members of any board of school directors in any school district other than a school district of the first class or of the first class A the court of common pleas of the county in which such district or the largest part in area thereof is located shall after ten (10) days from the time such vacancies exist or occur appoint [a board of properly qualified persons who shall serve if the terms thereof continue so long until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment at which election a board of school directors for such district shall be elected as herein provided in such manner that the number and terms of those whose places are to be filled at each succeeding municipal election shall be the same as the number and terms of those whose places are filled at the corresponding election in other school districts of the same class] a qualified person to fill each vacancy for the remainder of the unexpired term Whenever a vacancy of the entire membership of a board of school directors in any school district of the fourth class occurs the county superintendent of schools may enter and take full charge of and at the expense of the district maintain the schools thereof in accordance with the provisions of the school laws of the Commonwealth under the direction of the Superintendent of Public Instruction and may continue in charge thereof until a board of school directors has been appointed and has qualified

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 563, as follows:

An Act to further amend the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" by imposing duties on the city controller and allowing appeals from audits or settlement of accounts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1643) entitled "An act relating to the collection of city county school and poor taxes within the territorial limits of cities of the second class A establishing the office of collector of taxes therein defining its duties and powers changing the powers of and imposing duties upon cities of the second class A counties school districts and poor districts and the officers thereof and imposing penalties" is hereby amended by adding immediately following Section 9 thereof a new section to read as follows

Section 9.1 The city controller shall make annual reports to council on the first Monday of March and oftener if so required by council of the audits which he shall have made of the accounts of the officers having charge custody control and disbursements of public moneys showing balance in their hands respectively at the end of the fiscal year and at the same time shall file a copy of the said annual report with the prothonotary of the court of common pleas It shall be lawful for the city or any taxpayer thereof on its behalf or any officer whose account is settled or audited to appeal from the settlement or audit to the court of common pleas of the county within forty-five days after the said annual report to council has been filed in the court of common pleas If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision shall not be obtained more favorable to the party on whose behalf the appeal shall be taken than that contained in the said report.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 603 entitled:

An Act creating a joint legislative committee to be known as the Joint Legislative Budget and Finance Committee; providing for its membership; and defining its powers and duties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, on behalf of Senator Wade and myself, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend line 9, page 4, by adding after the word engaged: "and the Auditor General shall deliver to the Joint Legislative Budget and Finance Committee, a copy of all audit reports annually made by the Auditor General's Department."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. YOSKO. Mr. President, I ask unanimous consent that Senate Bill No. 603, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 616, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 4.466 acres more or less situate in Skippack Township Montgomery County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in the Township of Skippack County of Montgomery and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point in the center of the intersection of the Skippack Pike and Lederach Road said point being 548.79 feet east of point of intersection thence north 2 degrees 15 minutes west 163.5 feet to a monument thence north 41 degrees 15 minutes east 259.05 feet to a monument thence south 46 degrees 45 minutes east 840.5 feet to a monument on right-of-way of Skippack Pike thence on a radium of 1,825 feet and on arc distance 907.44 feet to a point on the curve of the Skippack Pike to the point of beginning the plot being a total of 4.466 acres be the same more or less and being a part of the same land conveyed to the Commonwealth by deed of Edward T Grater et ux by deed dated the twenty-sixth day of April one thousand nine hundred twenty-seven and recorded in Montgomery County in Deed Book 1013 Volume at page 371

The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estate or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the same name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko.

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 618, as follows:

An Act to further amend Section 1 of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 279) entitled "An act relating to the time and manner of taking execeptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case" by making it unnecessary to take an exception to the ruling of a trial judge on the admission or exclusion of testimony

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 279) entitled "An act relating to the time and manner of tak-

ing exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case" as amended by the act approved the fifth day of June one thousand nine hundred thirteen (P. L. 421) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act it shall not be necessary on the trial of any case civil or criminal in any court of record in this Commonwealth to take exception to any ruling on the admission or exclusion of testimony nor for the trial judge to allow an exception to any ruling of his but immediately succeeding such ruling the official stenographer shall note such exception and it shall thereafter have all the effect of an exception duly taken written out signed and sealed by the trial judge

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 624, as follows:

An Act to amend the Act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers warehouse receipts bills of lading other documents of title investment securities and secured transactions including certain sales of accounts chattel paper and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto" by adding a sub-section to Section 9-104 thereof excluding from the application of Article 9 of the Act assignments or other transfers of interests or claims in or under any policies of insurance

The Geenral Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to eliminate all doubts as to the applicability of Article 9 of the Uniform Commercial Code to assignments or other transfers of interests or claims in or under policies of insurance Section 9-104 of the Act approved the sixth day of April one thousand nine hundred fifty-three (P. L. 3) entitled "An act relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them including sales commercial paper bank deposits and collections documentary letters of credit bulk transfers warehouse receipt bills of lading other documents of title investment securities and secured transactions including certain sales of accounts chattel paper and contract rights providing for public notice to third parties in certain circumstances regulating procedure evidence and damages in certain court actions involving such transactions contracts or documents and to make uniform the law with respect thereto" is hereby amended by adding thereto a new subsection as follows

Section 9-104 Transactions excluded from article this does not apply

* * * * *

(g) to an assignment or other transfer of an interest or claim in or under any policy of insurance

Section 2 This Act shall become effective at 12:01 A M on July 1 1954

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

Senate proceeded to the third reading and consideration of House Bill No. 779, as follows:

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractice Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure extending time for practice unless licensed and registered providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1987) is hereby further amended to read as follows

Section 5 Licensing Present Practitioners (a) Any person of good character who has been engaged in the full-time practice of chiropractic for twenty-five (25) years or more the last five of which have been in this State prior to the effective date of this act and who was graduated from a legally incorporated and reputable school or college of chiropractic shall be entitled to take a limited examination for licensure Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty-five (25) but more than twenty (20) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent as approved by the Department of Public Instruction and in excess of eighteen hundred (1800) hours of classroom instruction in a legally incorporated and reputable school or college of chiropractic and has been graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has been engaged in the full-time practice of chiropractic for less than twenty (20) years but more than ten (10) years the last five of which have been in this State prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent as approved by the Department of Public Instruction and not less than two thousand one hundred and fifty (2150) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure Any person of good character who has engaged in the full-time practice of chiropractic in this State for at least one (1) year but less than ten (10) years prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in chemistry biology and physics as approved by the Department of Public Instruction and not less than two thousand five hundred and fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall be entitled to take a limited examination for licensure [Provided however That application] Application to take any limited examination under the provisions of this act for licensure shall be made in such form as may be provided by the board and must be made by the applicant [within six months of the effective date of this act] before the first day of January one thousand nine hundred fifty-four

(b) Any person of good character who has engaged in the full-time practice of chiropractic in this State for less than one (1) year prior to the effective date of this act and possessing a general education of not less than a standard four year high school course or its equivalent and not less than one year of college credits in chemistry biology and physics as approved by the Department of Public Instruction and not less than two thousand five hundred fifty (2550) hours of classroom instruction in a legally incorporated and reputable school of chiropractic and has graduated therefrom shall take a standard examination as provided in this act

(c) Any applicant otherwise qualified as above provided except that he has not graduated from a legally incorporated school or college of chiropractic prior to the tenth day of August one thousand nine hundred fifty-one who has taken a course of study in such subjects and for such hours not less than six hundred (600) nor more than nine hundred thirty-six (936) as are approved by the board in an incorporated school of chiropractic shall be entitled to take an examination as above provided

(d) All members of the State Board of Chiropractic Examiners whose terms of office had not expired on the date when the act to which this is an amendment was approved shall by virtue of their office receive certificates of licensure without examination The persons appointed to membership on the board to succeed members whose terms had expired before said approval date shall by virtue of their appointment receive certificates of licensure without examination

Section 2 The act is hereby amended by adding immediately after Section 5 a new section to read as follows

Section 5.1 Licensing Out-of-State Practitioners The board may grant licenses to individuals from other states and provinces of the Dominion of Canada if (1) the standards for licensing in such states or provinces are substantially the same as those provided hereby (2) similar privileges are accorded persons licensed in this Commonwealth (3) the applicants hold valid licenses and (4) the applicable rules and regulations prescribed by the board are complied with

Section 3 Section 12 Of the act is hereby amended to read as follows

Section 12 Unlawful to Practice Unless Licensed and Registered It shall be unlawful for any person after the first day of July [one thousand nine hundred fifty-two] one thousand nine hundred fifty-four to operate or practice as a Chiropractor unless he or she shall hold a license as provided by this act and unless such person is registered for the then current license year after the year in which he is first licensed

Section 4 Section 13 of the act as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1987) is hereby further amended to read as follows

Section 13 Status of Existing Licensees and Registrants Preserved Any person licensed or legally authorized to practice chiropractic in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of chiropractic without being required to be licensed anew under the provisions of this act and as fully as if he were licensed under the provisions of this act and to that extent he shall be exempt from the penalties of this act and may remain under the jurisdiction of the State Board of Medical Education and Licensure subject to the provisions of the Medical Practice Act of 1911

Any person holding a valid license in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure prior to the tenth day of August one thousand nine hundred fifty-one may make application to the State Board of Chiropractic Examiners before the first day of September one thousand nine hundred [fifty-two] fifty-four for a license under the provisions of the act to which this is an amendment and to become subject to the provisions of said act and to the jurisdiction and control of the board to the exclusion of the Board of Medical Education and Licensure and the laws administered by it Upon the payment of a fee the amount of which shall be fixed by the department the application shall be granted a certificate of licensure shall be issued without examination the certificate of licensure in drugless therapy to practice chiropractic issued by the State Board of Medical Education and Licensure shall be surrendered and cancelled and the applicant shall be entitled to the rights and privileges of the act to which this is an amendment and subject to the jurisdiction of the board thereunder The board shall notify the State Board of Medical Education and Licensure of each certificate of licensure issued by it that is cancelled by the board

Section 4 Section 14 of the act is hereby amended to read as follows

Section 14 Term of License and Registration All licenses and all registrations granted under this act shall expire on the first day of September following their issuance [It shall be the duty of the board on or before the first day of June of each year to mail to every person licensed under this act a blank application form for registration] Registration may be effected at any time during the month of August following by the filing of such application with the board together with such registration fee as may be fixed by the department and satisfactory evidence that the applicant has attended during the preceding license year an educational conference as hereinafter provided Provided That the board may at its discretion register any licensee who has failed to make application for registration before the first day of September

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	McCreesh,	Stevenson,
Barr,	Hare,	McCusker,	Stiefel,
Berger,	Harney,	McGinnis,	Taylor,
Blass,	Holland,	McMenamin,	Toole,
Camiel,	Kephart,	McPherson, Jr.	Wade,
Chapman,	Kessler,	Miller,	Wagner,
Crowe,	Kopriver, Jr.	Pechan,	Walker,
Dent,	Lane,	Peelor,	Watson,
Diehm,	Leader,	Propert,	Weiner,
DiSilvestro,	Madigan,	Ruth,	Wolfe,
Fleming,	Mahany,	Silvert,	Wood,
Freed,	Mallery,	Snowden,	Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 970, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted amended and revised by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended by adding after section 3107 a new section to read as follows

Section 3107.1 Salary of Members of Board of Adjustment Each member of the board of adjustment may receive an annual salary which shall be fixed by the board of township commissioners and shall not exceed one-half the amount of salary received by the township commissioners

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bane,	Haluska,	McCreesh,	Stiefel,
Barr,	Hare,	McCusker,	Taylor,
Berger,	Harney,	McGinnis,	Toole,
Blass,	Holland,	McPherson, Jr.	Wade,
Camiel,	Kephart,	Miller,	Wagner,
Chapman,	Kessler,	Pechan,	Walker,
Crowe,	Kopriver, Jr.	Peelor,	Watson,
Dent,	Lane,	Propert,	Weiner,
Diehm,	Leader,	Ruth,	Wolfe,
DiSilvestro,	Madigan,	Silvert,	Wood,
Fleming,	Mahany,	Snowden,	Yosko,
Freed,	Mallery,	Stevenson,	

NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 15, Printer's No. 295, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 247, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by authorizing the transfer to the one-eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; further prescribing the power of the retirement board to provide minimum retirement allowances.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER. Mr. President, this amendment is to eliminate the retroactive feature of the retirement, which would seem to be in keeping with present court rulings.

Mr. WAGNER offered the following amendment:

Amend Sec. 2, (Sec. 15.1), page 4, lines 15 and 16 by striking out all of said lines and inserting in lieu thereof: "ficiary who [has retired] shall thereafter retire for superannuation after."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT BILL

Mr. MAHANY. Mr. President, I move that Senate Bill No. 256, on second reading, entitled:

An Act to further amend part of Section 202 and to add Sections 463 and 1314 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and adminstrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Srhools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and adminstratve officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction; fixing the qualifications and compensation of members and imposing certain duties on said commission.

be recommitted to the Committee on Education.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WAGNER. Mr. President, you are talking about recommitting to Education, but this bill and Senate Bill No. 257 have not been in the Education Committee. These bills were in the Committee on State Government, where they were considered at length and reported out. I would suggest that it would be more appropriate to recommit, but recommit to whence they came and not to whence they were not.

Mr. MAHANY. Mr. President, I inquired downstairs what committee they came out of when I marked my calendar, and someone evidently gave me the wrong information in saying Education.

MOTION TO RECOMMIT BILL WITHDRAWN

Mr. MAHANY. Therefore, Mr. President, I wish to withdraw the motion that Senate Bill No. 256 be recommitted to the Committee on Education.

Mr. HARE. Mr. President, I desire to withdraw my second to the motion.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I now move that Senate Bill No. 256, on second reading, be recommitted to the Committee on State Government.

Mr. HARE. I second the motion, Mr. President.

The motion was agreed to.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 257, on second reading, entitled:

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in certain political subdivisions and revising, consolidating and making the law uniform relative thereto; conferring certain powers and duties on the State Auctioneers' Commission and on certain departments and officers of the State and local governments; providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

be recommitted to the Committee on State Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 361, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 956) entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes" by increasing certain fees and creating new fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 361, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

MRS. ALBERT JOHNSON PRESENTED TO SENATE

Mr. BERGER. Mr. President, I ask the indulgence of the Chair and the Members of the Senate to suspend the Order of Business in which we are now engaged for a brief moment.

At this time I would ask permission to introduce Mrs. Albert Johnson, of Smethport, Pennsylvania, bearing a message to the Lieutenant-Governor of the Commonwealth.

The PRESIDENT. I am quite certain the Senate will sustain the ruling of the Chair that this is a much more important Order of Business than what we have been indulging in.

Will the Sergeant-at-Arms escort the distinguished visitor, together with Senator Berger, to the Bar of the Senate?

The SERGEANT-AT-ARMS. I have the pleasure to present to you Mrs. Albert Johnson, from Smethport, Pennsylvania.

MRS. ALBERT JOHNSON. I would like to present to you an invitation from the Centennial Committee of McKean County.

The PRESIDENT. Thank you very much, and I assure you that I am delighted to accept it.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 362, entitled:

An Act to further amend Section 1 of the act, approved the sixth day of May, one thousand eight hundred seventy-four (P. L. 125), entitled "An act regulating State tax on certain county offices," by increasing the maximum amount of fees that prothonotaries and clerks of courts may retain.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 362, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 363, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 363, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committe of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 364, entitled:

An Act to amend Section 1 of the act, approved the twenty-eighth day of June, one thousand nine hundred forty-seven (P. L. 983), entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes; to provide the time of paying the same; and to repeal all acts inconsistent herewith," by increasing certain filing fees and providing for additional fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 364, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 365, entitled:

An Act providing for filing in the prothonotary's office of letters of attorney, authorizing acts related to instruments or judgments filed therein and revocations thereof; the establishment of a letter of attorney docket, and certifying copies and their admissibility in evidence; and prescribing fees and penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 365, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act to further amend Section 10 of the act, approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," by increasing the filing fee of conditional sales contracts in the prothonotary's office.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 366, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 367, entitled:

An Act to further amend Section 9 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; describing the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by increasing the filing fee for chattel mortgages in the prothonotary's office.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 367, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 402, Printer's No. 276, on second reading, go over in its order.

The PRESIDENT. Is there objecton? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 503, entitled:

An Act prescribing the fees to be received by the clerks of orphans' courts of counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 503, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 504, entitled:

An Act prescribing the fees to be received by registers of wills in counties of the fifth, sixth, seventh and eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 504, the bill just read, be recommitted to the Committee on Local Government.

Mr. HARE. Mr. President, I second the motion.

The Motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring powers and imposing duties on county boards of school directors; providing for classes and schools for handicapped and for the payment for the cost of operation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 629, entitled:

An Act to further amend Sections 889 and 891 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the unauthorized wearing of Civil Air Patrol uniforms or insignia and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing justices of the peace to hold other elective township offices requiring supervisors to fix certain compensation of the township secretary clarifying certain provisions relating to compensation of township auditors authorizing certain training of policemen at township expense increasing powers of supervisors to regulate garbage and rubbish authoriz-

ing erection of parking meters and regulation of parking meter charges providing for township acquisition and control of abandoned cemeteries regulating the adoption of fire prevention codes authorizing cooperation with other political subdivisions in promotion of health authorizing control of disorderly practices changing the provisions relating to filling of vacancies in office of supervisors taxing powers of townships the provisions of the act relating to public parks recreation places and facilities and park and recreation boards and certain provisions relating to zoning

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections were read and agreed to.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Bill, page 19, by inserting between lines 18 and 19, the following:

"Section 12. Section 1402 of the act, as last amended by the act approved the twenty-fourth day of May, one thousand nine hundred fifty-one (P. L. 370) is hereby further amended to read as follows:

"Section 1402. Construction of Sidewalks or Sidewalks and Curbs Upon Petition of Property Owners or Pursuant to Ordinance. (a) The township supervisors may construct sidewalks or curbs, or sidewalks and curbs, of suitable material along the roads or highways in such townships, upon the petition of owners of property representing a majority in number of feet front of the properties abutting on the roads or highways where such sidewalks or sidewalks and curbs are to be constructed. Whenever any such petition is filed with the supervisors, the owner of the property shall be given notice by the supervisors to construct such sidewalk or sidewalk and curb; and in case of the failure of the owner to complete such sidewalk or sidewalk and curb within a period of sixty days after the receipt of such notice, the supervisors may construct such sidewalk or sidewalk and curb as herein provided. Whenever any sidewalks or sidewalks and curbs are constructed by the supervisors, the expense of the construction of such sidewalk or sidewalk and curb shall be paid by the abutting property owners in proportion to their frontage. If such owners fail to so pay the expenses of the construction of such sidewalk or sidewalk and curb, the township supervisors may recover the amount by action of assumpsit, or may file municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens.

"(b) The township supervisors may also construct sidewalks of suitable material along the roads or highways in such townships pursuant to an ordinance authorizing such construction. Whenever any sidewalks are constructed by the supervisors pursuant to such ordinance, the expense of the construction of such sidewalks shall be paid by the abutting property owners in proportion to their frontage, but in no such instance shall any abutting property owner be liable for the construction of such sidewalks in an amount greater than ten percent of the assessed valuation of the abutting property owned by him. Any expense above such maximum liability of abutting property owners shall be paid by the townships. If abutting property owners fail to so pay the expenses of the construction of such sidewalks for which they are liable the township supervisors may recover the amount by action of assumpsit, or may file, municipal liens therefor against the abutting properties in the manner provided by law for the filing and collection of municipal liens."

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 12, page 19, line 19, by striking out "12" and inserting in lieu thereof: "13."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 13, page 20, line 20, by striking out "12" and inserting in lieu thereof: "14."

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 14, page 25, line 8, by striking out "14" and inserting in lieu thereof: "15."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 2, line 4 of title, by inserting after "providing" the following: "for the construction of sidewalks and the assessment and collection of certain cost thereof and."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that House Bill No. 951, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1101, Printer's No. 225, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1152, entitled:

An Act to amend the title and section 1 of the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 624) entitled "An act requiring the recorder of deeds of every county except counties of the second class to report transfers of property to the commissioners of townships of the first class" by requiring the recorder of deeds to report transfers of property to supervisors of townships of the second class.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Title), page 2, line 9, by inserting after "class": "in certain cases."

Amend Sec. 1 (Sec. 1), page 2, line 13, by inserting after "class": "upon written request therefor as herein provided."

Amend Sec. 1 (Sec. 1), page 2, line 16, by inserting after "township": "When any township imposes a tax on the transfer of real property the commissioners or supervisors shall transmit to the recorder of deeds written request for such record of transfers."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 1, line 6, from top of title, by inserting after "deeds": "in certain cases."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1267, entitled:

An Act to further amend subsection (C) of Section 12 of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," by increasing the medium amount of interest and charges on loans.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 1267, the bill just read, be recommitted to the Committee on Banking.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE SALES OF LIVESTOCK

Mr. KESSLER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. KESSLER, HARNEY and MADIGAN offered the following resolution which was twice read and referred to the Committee on Agriculture.

In the Senate, June 9, 1953.

Whereas, The value of livestock in Pennsylvania approximates $400,000,000, and

Whereas, Auction sales of such livestock are of concern to producers, sellers, purchasers, dealers and the public, and

Whereas, Safeguards may be required in order to protect the public health, safety and welfare; now therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission study and investigate sales of livestock, including auction sales of the same, and the conditions appertaining thereto; and report its findings and recommendations to the next regular session of the General Assembly; and be it further

Resolved, That the Department of Agriculture cooperate with the Joint State Government Commission in connection with said study.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 193, entitled:

An Act to amend section 263 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing electors, in certain cases, to present petitions to the court for the submission to the electors of a question of merger of school districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 194, entitled:

An Act to amend Section 251 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing electors to present petitions for submission to the electorate of a question of the formation of a union school district.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 481, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by extending the purposes for which certain companies may be incorporated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to amend the Act approved the fourteenth day of January one thousand nine hundred fifty-two (1951-1952 P. L. 1898) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws" by extending the effective date within which students preparing for licensure under prior laws may take examination and regulating pre-need burial contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 586, entitled:

An Act to amend the title and Section 1 of the act, approved the seventeenth day of April, one thousand nine hundred forty-seven (P. L. 63, No. 29), entitled "An act authorizing and empowering cities of the first class of this Commonwealth to acquire by purchase, lease or condemnation, any land within said cities with the buildings thereof, if any; to construct buildings and facilities thereon; to operate the same as parking lots or public garages, subject to certain conditions, or to lease such parking lots or garages for private operation and to fix the terms and conditions of such leases," by extending the provisions of the act to cities of the second class of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 590, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto a new Article VII relating to title insurance defining and providing for the organization of title insurance companies the regulation and supervision of title insurance and the title insurance business of bank and trust companies trust companies or other corporations prohibiting the transaction of the business of title insurance except by title insurers as defined providing for the regulation of title insurance underwriters as defined prescribing the terms and conditions upon which foreign title insurance companies may be admitted or may continue to do a title insurance business within the Commonwealth conferring powers and duties upon the Insurance Commissioner and the Banking Department with respect thereto prescribing fees imposing penalties and repealing certain acts and parts of acts relating to title insurance companies and the business of title insurance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 591, entitled:

An Act relating to the regulation of rates for title insurance which may be charged by title insurance companies both domestic and foreign banks and trust companies or trust companies having the power to make title insurance and title insurance underwriters to rating organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and enforcing the provisions of this act prescribing and regulating the practice and procedure before the Insurance Commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for the enforcement thereof, repealing the act approved the eleventh day of June one thousand nine hundred forty-seven (P. L. 538) insofar as it applies to title insurance repealing inconsistent acts and continuing existing filings and proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636, entitled:

An Act to amend the act, approved the twenty-first day of May, one thousand nine hundred forty three (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive; and repealing existing laws," by further prescribing what taxes or license fees may be refunded or sued for

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act to repeal Section 518 of, and to add a new section 518.1 to the act approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by eliminating all the provisions of the act which regulate the payment of the taxes pending appeals from assessments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 639, entitled:

An Act requiring insurance companies to accept insurance premiums after thirty days after the premiums are due.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 640, entitled:

An Act relating to county planning and the regulation of land subdivisions in counties other than counties of the first class; providing for the creation of planning commissions, prescribing the powers and duties of the planning commissions, political subdivisions, certain public officers and public and quasi-public agencies within the respective counties and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act to further amend Section 1104 of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by authorizing certain boroughs to permit the same person to hold the offices of secretary and treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of boards of health and health officers; prescribing their powers and duties; providing for the enforcement of the administration of health laws by such board and officers; providing for a president and secretary of such boards; imposing duties on the Secretary of Health, and providing for payments of expenses by townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1282, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by requiring corporate surety on certain bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by requiring corporate surety on certain bonds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, June 10, 1953, at 12:30 o'clock p. m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:30 o'clock p. m., Eastern Standard Time, until Wednesday, June 10, 1953, at 12:30 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, June 9, 1953.

The House met at 11:00 a. m. EST.
The SPEAKER (Charles C. Smith) in the Chair.

PRAYER

Reverend Father Thomas A. Little, guest Chaplain and Vicar of St. Mary's Chapel, Philadelphia, guest of the gentleman from Philadelphia, Mr. Jones, offered the following prayer:

Almighty God, who hast given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord and confusion; from pride and arrogancy whether of class or place, and from every evil way. Defend our liberties and fashion into one united people the multitudes brought hither out of many kindreds and tongues.

Guide and bless the Legislature of this state and herein especially this House now assembled, that it may ordain only such things that peace and happiness, truth and justice, religion and piety may be established among us for all generations.

These and all other necessities we humbly beg in the name and mediation of Jesus Christ, our most blessed Lord and Saviour. Amen.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, please come to the rostrum so that he may preside as Speaker pro tempore for the day.

Mr. READINGER in the Chair.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, it has been my practice to consult the Chairman of the Democratic Caucus as to how I should vote when important bills came up. I desire instructions from the Chair as to whom I shall consult now that the brains of the Democratic party are in the Chair.

The SPEAKER pro tempore. The Chair desires to inform the gentleman, or suggest to him, that he consult with Mr. Moran, who sees all and knows all.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Are there any corrections to the Journal of Monday, June 8, 1953?

Mr. HELM. Mr. Speaker, I move that the approval of the Journal for Monday, June 8, 1953, be postponed until the Journal is in print.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mr. DUNN. HOUSE BILL No. 1429.

An Act to further amend the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring certain candidates for nomination to any elected office at a primary election to file an affidavit of withdrawal; and providing penalties.

Referred to the Committee on Elections and Apportionment.

By Messrs. RICHTER and SCHMIDT. HOUSE BILL No. 1430.

An Act to further amend Section 2 of the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 733) entitled "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property providing for its levy and collection conferring and imposing powers and duties on the county assessing authority board of revision of taxes receiver of school taxes school treasurer board of public education in such districts and courts providing for compensation to certain officers and employes and imposing penalties" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

Referred to the Committee on Education.

By Mr. MOODY. HOUSE BILL No. 1431.

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fese; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, and magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keeprs; providing that rcords are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further regulating the equipping of vehicles with header boards and the securing of certain cargoes.

Referred to the Committee on Motor Vehicles.

By Mr. SCOTT. HOUSE BILL No. 1432.

An Act to further amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for retirement allowances to contributors after twenty-five years of service but prior to reaching superannuation retirement age, whether such retirement be voluntary or involuntary and fixing allowances in such cases.

Referred to the Committee on Counties.

By Messrs. WHEELER and KORNICK.

HOUSE BILL No. 1433.

An Act to further amend Sec. 4 of the act approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners, authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," by changing compensation of board members.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 1434.

An Act to further amend Section 1 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions and officers of the State Government," by expanding the investment powers of State administrative departments, boards, commissions or officers.

Referred to the Committee on State Government.

By Messrs. ROYER and PAUL G. MURRAY.

HOUSE BILL No. 1435.

An Act to further amend Section 33 of the act, approved the thirty-first day of May, one thousand nine hundred eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties or authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes of toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by permitting the Secretary to withhold ten per centum of the current estimate due the contractor pending completion of fifty per centum of the work and thereafter withholding two per centum of the current estimate due the contractor pending completion of ninety-five per centum of the work to be done.

Referred to the Committee on Highways.

By Messrs. ROYER and PAUL G. MURRAY.

HOUSE BILL No. 1436.

An Act to further amend section 1 of the act, approved the twentieth day of May, one thousand nine hundred thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; providing for and regulating the procedure in prosecuting claims before such board; defining the powers of the board; and fixing the compensation of members and employes thereof; providing that the awards of such board shall be final; providing for the payment of awards; and authorizing an appropriation;" by extending the duty of the Board of Arbitration of Claims to include claims under contracts of State departments, agencies, commissions and authorities.

Referred to the Committee on State Government.

By Mr. ZIEGLER. HOUSE BILL No. 1437.

An Act to amend Section 1 of the act, approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1210), entitled "An act relating to group life insurance; describing permitted policies and restrictions thereon, the premium basis thereof and rights thereunder; limiting the amount of such insurance; prescribing standard policy provisions; and requiring notice of conversion privileges," by permitting group life insurance covering members of State bar associations and State medical associations and the employes of such members.

Referred to the Committee on Insurance.

By Messrs. McCORMACK and WILBUR H. HAMILTON. HOUSE BILL No. 1438.

An Act to amend Section 31.1 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and

prior acts of Assembly," by further regulating the sale of real property for the non-payment of tax and municipal claims; providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale, subject to the right of redemption.

Referred to the Committee on Judiciary.

By Mr. LEISEY. HOUSE BILL No. 1439.

An Act for the establishment of uniform standards of time throughout the Commonwealth and repealing certain laws inconsistent therewith.

Referred to the Committee on Law and Order.

By Mr. TOOMEY. HOUSE BILL No. 1440.

An Act to further amend section one of the act approved the twenty-sixth day of April, one thousand nine hundred forty-five (P. L. 318) entitled "An act to regulate the sale and possession of peniccillium (Penicillin) and its derivatives, preparations and compounds in the interest of public health," by providing certain exceptions to said act.

Referred to the Committee on Public Health and Sanitation.

By Messrs. PRICE and WILT. HOUSE BILL No. 1441.

An Act to amend section eight hundred twenty decimal point one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by exempting certain vehicles from the requirement to be so constructed or equipped as to bar road surface substances from being thrown from their rear wheels.

Referred to the Committee on Motor Vehicles.

By Messrs. BRETH, STIMMEL and SHOEMAKER. HOUSE BILL No. 1442.

An Act to further amend Section 4 of the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing that no fishing shall be permitted on Authority waters unless the privilege is available to all licensed fishers.

Referred to the Committee on Municipal Corporations.

By Mr. KUBACKI. HOUSE BILL No. 1443.

An Act requiring the increase of certain annual salaries of patrolmen (beginners) and other members of the police force through to chief of police in cities of the third class.

Referred to the Committee on Cities—Third Class.

By Mr. KUBACKI. HOUSE BILL No. 1444.

An Act fixing the liability of insurers to volunteer fire companies which shall successfully extinguish fires destroying buildings insured by such insurers.

Referred to the Committee on Insurance.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 236.

An Act designating a certain banking institution as an additional loan and transfer agent of the Commonwealth, and conferring powers and imposing duties upon such institution and certain State officers with respect thereto.

Referred to the Committee on State Government.

SENATE BILL No. 273.

An Act fixing the fees and mileage of the Coroner in counties of the third class.

Referred to the Committee on Counties.

SENATE BILL No. 277.

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security thereof prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 496.

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 612) entitled "An act relating to the administration and distribution of incompetents' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases the appointment bond removal and discharge of guardians of such estates their powers duties and liabilities the rights of persons dealing with such guardians and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning the determination of incompetency and the powers duties and liabilities of foreign guardians and also generally dealing with the jurisdiction powers and procedure relating to incompetents' estates" by further defining "prothonotary" to include clerk of the orphans' court and by further defining "court" to include orphans' court

Referred to the Committee on Judiciary.

SENATE BILL No. 497.

An Act to amend the title and Section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates.

Referred to the Committee on Judiciary.

SENATE BILL No. 531.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by further defining and limiting the rights and powers of such associations with respect to agency and branch office operations and conferring additional powers and imposing additional duties upon certain State departments and the Building and Loan Board.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 8, 1953.

Whereas, The inhabitants of this Commonwealth are asked to contribute to many worthy charitable, religious, benevolent, humane and patriotic purposes; and

Whereas, The solicitation of funds for such purposes is presently regulated by the provisions of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," and its amendments; therefore, be it

Resolved (if the House of Representatives concur) That the Joint State Government Commission is hereby directed to conduct a study of the effectiveness and the administration of the "Solicitation Act" and the propriety of exempting any organization from its provisions, and to report to the next regular session of the General Assembly, its findings and recommendations with such drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. VARNER. (Concurrent) RESOLUTION No. 61.

In the House of Representatives, June 8, 1953.

Since it was called Gumtown, in honor of "Gum Nolf," who located in the place in 1830, New Bethlehem, in Clarion County, has been an example of industry and well being to the rest of the Commonwealth.

In 1853 a charter of incorporation was granted to New Bethlehem by the Clarion County Court, creating a borough from what was previously a town.

Since its inception as an organized governmental entity, the borough of New Bethlehem has progressed far on the road to industrialization and the promotion of the blessings of prosperity and good government for the benefit of its population.

Among the natural blessings bestowed upon New Bethlehem are level land which is ideally located for the development of industry, and Redbank Creek which has been a source of water and power to an energetic, thriving and industrious community which is proud to be known and designated as New Bethlehem.

Upon its reaching the age of one hundred years as an organized community, New Bethlehem has attained an enviable position, in that it has been mellowed by a rich and full history which have given it a great tradition of courage and usefulness, and has maintained a rugged, far sighted, youthful outlook which combined with its historical background, foretells a progressive and glorious future as one of Pennsylvania's finest communities; therefore be it

Resolved, (if the Senate concurs), That in recognition of the centennial celebration of the incorporation of New Bethlehem, in Clarion County as an organized community, this General Assembly of the Commonwealth of Pennsylvania hereby extends its congratulations and best wishes to the borough of New Bethlehem and its residents for continued prosperity, success and happiness and the continued progress and development of their exemplary community spirit and activities.

Referred to the Committee on Rules.

By Messrs. BANKER and STRAUSSER. (Concurrent) RESOLUTION No. 62.

In the House of Representatives, June 8, 1953.

Whereas, Commonwealth appropriations providing financial aid in connection with the erection of school buildings have increased from $500,000 for the biennium 1949-51 to $7,250,000 recommended by the Governor for the biennium 1953-55; and

Whereas, It is estimated that Commonwealth appropriations on account of financial aid for school buildings may, in the future, reach $33,050,000 per bienium; and

Whereas, On the average, building costs in Commonwealth-aided districts are equivalent to the costs in un-

aided districts with market values per teaching unit some $200,000 higher; therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to develop model plans for functional, flexible, fire-safe, and sanitary school buildings, and to present such plans, together with comments and recommendations, to the next regular session of the General Assembly.

Referred to the Committee on Rules.

By Mr. LEVEN. RESOLUTION No. 63.

RESOLUTION

Memorializing the Governor to direct the Pennsylvania Air National Guard to seek airport facilities elsewhere than at the North Philadelphia Airport, and that studies be undertaken to locate an airport site for the use of the Pennsylvania Air National Guard in a rural area.

Whereas, The North Philadelphia Airport is located in a heavily settled and growing residential district of Philadelphia; and

Whereas, The use of that airport for military aviation purposes is a hazard to the safety, well-being and prosperity of the residents of that part of the Commonwealth; and

Whereas, There are in the Commonwealth of Pennsylvania numerous other appropriate sites that could be adapted to the use of the Pennsylvania Air National Guard; therefore

Resolved by the General Assembly of the Commonwealth of Pennsylvania:

First, That the Governor be and he is hereby memorialized to direct the Air National Guard of Pennsylvania to seek the use of airport facilities elsewhere than at the North Philadelphia Airport where such use would be a hazard to the lives of many citizens of the Commonwealth residing hereby; and

Second, That studies be immediately undertaken to locate an airport site for the use of the Air National Guard in a rural area where no danger would be caused by military aviation activities to the homes and lives of residents in surrounding communities.

Referred to the Committee on Rules.

FORMER MEMBERS WELCOMED

The SPEAKER pro tempore. The Chair is pleased to note the presence of a former Member of the House from Westmoreland County, Honorable Paul Caulfield.

The Chair is also pleased to welcome to the House a former Member from Philadelphia, Honorable Benjamin Long.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Johnson for Mr. BOMBERGER for today's session because of illness.

Mr. Thompson for Mr. COOPER for today's session.

Mr. Ragot for Mr. IDE for today's session because of illness.

Mr. Filo for Mr. BOIES for today's session.

Mr. Johnson for Mr. WATKINS for today's session because of illness.

CALL OF THE HOUSE

Mr. ANDREWS. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER pro tempore. The gentleman from Cambria, Mr. Andrews, suggests the absence of a quorum. The Sergenat-at-Arms will close the doors of the House and admit only Members.

The roll was called and was as follows:

PRESENT—198

Adam,	Glick,	Mathews,	Schuster,
Alexander,	Goodling,	Maxwell,	Schwartz,
Amarando,	Gramlich,	McCann,	Scott,
Andrews,	Greenwood,	McCormack,	Seyler,
Ashton,	Guss,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Hall,	McInroy,	Snider,
Baumunk,	Hamilton, R. K.,	McWherter,	Spencer,
Bazin,	Hamilton, W. H.,	Metz,	Stank,
Bear,	Harris,	Mihm,	Stevenson,
Blair,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Boory,	Hersch,	Mills,	Stoner,
Bower,	Hewitt,	Monroe,	Strausser,
Breisch,	Hocker,	Moody,	Sucher,
Breth	Jenkins,	Moore,	Taylor,
Brown,	Jim,	Moran,	Thomas,
Bucchin,	Johnson,	Moscrip,	Thompson,
Buchanan,	Jones, Geo. E.,	Muldowney,	Toll,
Bullen,	Jones, Granville E.	Munley,	Tompkins,
Capano,	Jones, Paul F.,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Murray, P. G.,	VanSant,
Cioffi,	Jump,	Musto,	Varallo,
Clapper,	Kamyk,	Naugle,	Varner,
Cochran,	Keller,	Needham,	Vaughan,
Comer,	Kent,	Ogilvie,	Wall,
Connelly,	Kerlin,	Olsen,	Wallace,
Conner,	Kline,	Parlante,	Walsh,
Coyle,	Kohl,	Peifly,	Wargo,
Curwood,	Kolankiewicz,	Peta,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Dougherty,	Kratz,	Pfaff,	Welsh,
Down,	Kromer,	Phillips,	Wescott,
Downey,	Kubacki,	Polaski,	Whalley,
DuBois,	Lafore,	Polen,	Wheeler,
Dunn,	Lederer,	Poltenstein,	White,
Erb,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Quisenberry,	Willaredt,
Farabaugh,	Leven,	Ragot,	Williams,
Fenrich,	Light,	Readinger,	Wilt,
Ferster,	Limper,	Reagan,	Wood,
Filo,	Lippincott,	Reidenbach,	Worley,
Flack,	Lopresti,	Richter,	Yeakel,
Fleischman,	Lovett,	Rosen,	Yetzer,
Flynn,	Lutty,	Rovansek,	Young,
Frost,	Maguire,	Royer,	Zeitz,
Geer,	Mahan,	Rubin,	Ziegler,
Gibson,	Markley,	Sarraf,	Smith, C. C., Speaker
Gleason,		Schmidt,	

ABSENT—3

Hoggard,	Pettigrew,	Verona,

ABSENT WITH LEAVE—6

Boies,	Cooper,	Ide,	Watkins,
Bomberger,	Floyd,		

The SPEAKER pro tempore. One hundred and ninety-eight Members having answered to their names a quorum is present.

Mr. ANDREWS. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

BILLS RE-REFERRED

Mr. GUTHRIE from the Committee on Counties, returned the following bills to the House by the direction of the Committee on Counties with the request that they be re-referred by the Speaker to the Committee on Appropriations:

HOUSE BILL No. 1053, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties,

and fixing penalties," by authorizing the transfer to the one eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; and providing full benefits for contributors making such change under certain circumstances and further prescribing the power of the retirement board to provide disability and minimum retirement allowances.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1054, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled as amended "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh, and eighth class; imposing certain charges on counties, and prescribing penalties," by authorizing the transfer to the one eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; providing full benefits for contributors making such change under certain circumstances and further prescribing the power of the retirement board to provide disability and minimum retirement allowances.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1055, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), enttiled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by authorizing the transfer to the one eightieth (1/80) class of members contributions at the option of the retirement board and adjusting the county annuity on superannuation retirement; and providing for full benefits by contributors heretofore or hereafter making such change under certain circumstances further prescribing the power of the retirement board to provide minimum disability and retirement allowances.

Re-referred to the Committee on Appropriations.

HOUSE BILL No. 1258, entitled:

An Act to further amend the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for retirement allowances to contributors after twenty-five years of service but prior to reaching superannuation retirement age, whether such retirement be voluntary or involuntary and fixing minimum allowances in such cases.

Re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. PAUL F. JONES, from the Committee on Judiciary, reported as amended, House Bill No. 168, entitled:

An Act to further amend the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes and making an appropriation" by further regulating the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles.

Mr. LAFORE, from the Committee on Counties, reported as committed, House Bill No. 305, entitled:

An Act to further amend Section 1 of the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by designating employes of the county planning commission as county employes.

Mr. PAUL F. JONES, from the Committee on Judiciary, reported as committed, House Bill No. 492, entitled:

An Act authorizing justices of the peace, aldermen and magistrates to perform official duties of other justices of the peace, aldermen, and magistrates in the same county during certain periods of illness and vacation, and providing penalties.

Mr. SCHWARTZ, from the Committee on Municipal Corporations, reported as committed, House Bill No. 627, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates;" by requiring certain utility rates to be approved by the Pennsylvania Public Utility Commission.

Mr. WILLIAMS from the Committee on Labor Relations, reported as amended, House Bill No. 768, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganizing of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

Mr. SHOEMAKER from the Committee on Counties, reported as committed, House Bill No. 769, entitled:

An Act to add Section 141.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing county treasurers to appoint their own solicitors.

Mr. SCOTT from the Committee on Judiciary, reported as committed, House Bill No. 778, entitled:

An Act relating to the burden of proof in actions of defamation.

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as committed, House Bill No. 782, entitled:

An Act concerning actions for libel, slander or other torts, barring certain actions; regulating the recovery of damages, and making uniform the law with reference thereto.

Mr. ROBERT K. HAMILTON from the Committee on Counties, reported as committed, House Bill No. 789, entitled:

An Act to add section 54.1 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing that bonds of county officers and employes shall protect against loss of money by robbery and burglary and requiring the county to pay the cost of such bonds.

Mr. AUKER from the Committee on Judiciary, reported as amended, House Bill No. 850, entitled:

An Act empowering a court in which is pending a suit to which the estate of a decedent is a party to make an order authorizing a compromise or settlement of such suit; and empowering the court in connection with such compromise or settlement to fix counsel fees and other expenses incident to such suit; and providing that the order of such court shall not be collaterally attacked in the Orphans Court having jurisdiction of the accounts of the personal representative of such decedent's estate; and requiring such personal representative to file a copy of such order in the office of the Register of Wills and to enter additional security in certain cases.

Mr. TOLL from the Committee on Judiciary, reported as committed, House Bill No. 865, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

Mr. PFAFF from the Committee on Labor Relations, reported as committed, House Bill No. 1347, entitled:

An Act to further amend Sections 1, 2, 4 and 8 of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restrictng their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by regulating hours of minors when working on the farm of their parents.

Mr. WHITE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1419, entitled:

An Act to amend Section 14 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authoriteis; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by removing the requirement for approval of the Department of Internal Affairs covering obligations of the Authority.

Mr. WHITE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1420, entitled:

An Act to amend Section 6 of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1633), entitled "An act providing and regulating State assistance for housing, including slum clearance and redevelopment; and making an appropriation," by changing limitation as to tenant admissions in urban redevelopment projects.

Mr. WHITE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1421, entitled:

An Act to amend Section 12 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan

and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employes of authorities; providing for notice and hearing; supplying certain mandatory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by providing for the admission of certain evidence before the board of view or the court of common pleas.

Mr. CAPANO, from the Committee on Judiciary, reported as committed, Senate Bill No. 50, entitled:

An Act to further amend section 306 and to amend subsection A of section 318 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit corporations to designate corporate trustees for the investment, reinvestment and maintenance of their funds and assets held in trust or otherwise and to transfer such funds to such corporate trustees for such purposes; and providing for the powers, duties, and liabilities of such trustees.

Mr. POLTENSTEIN, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 189, entitled:

An Act to further amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by requiring the county treasurer to give notice of tax sales to persons in whose names the property is last registered and to lien creditors.

Mr. ROVANSEK, from the Committee on Labor Relations, reported as committed, Senate Bill No. 199, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven, (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a greivance procedure; and providing for hearings before civil service and tenure authorities," and in certain cases before the Pennsylvania Labor Relations Board," by making certain changes in the greivance procedure provided for in the act.

Mr. QUISENBERRY, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 216, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising, and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by clarifying the provisions which authorize cities of the third class and school districts within such cities to accept the provsions of the act, and changing the date on which the period of redemption commences to run on tax claims.

Mr. QUISENBERRY, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 228, entitled:

An Act to authorize counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Mr. DOWN, from the Committee on Counties, reported as committed, Senate Bill No. 322, entitled:

An Act to amend the title and sections 1 and 2 of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act prohibiting the payment by counties of costs in criminal cases discharged after preliminary hearings before magistrates, justices of the peace, and aldermen, unless names and addresses of prosecutors, defendants, and witnesses appear on the transcript thereof," by requiring the transcript of all such proceedings to be delivered to the county commissioners within a certain period and extending the provisions of said act to summary offenses.

Mr. QUISENBERRY, from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 323, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled as amended "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment" by further classifying real estate for the purpose of assessment for taxation clarifying the law as to the oath of assessors and further prescribing the manner of making assessments after the establishment of the permanent record system required by law.

Mr. MOODY, from the Committee on Judiciary, reported as amended, Senate Bill No. 324, entitled:

An Act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers.

Mr. FLACK, from the Committee on Counties, reported as committed, Senate Bill No. 359, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the annual salaries of county commissioners.

Mr. OGILVIE, from the Committee on Labor Relations, reported as committed, Senate Bill No. 525, entitled:

An Act to amend the title and subsection (h) of section 2 of the act, approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," by providing for protection against radiation.

Mr. WELSH, from the Committee on Labor Relations, reported as committed, Senate Bill No. 528, entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. directly or indirectly furnishing materials and articles to 665), entitled "An act relating to the performance of industrial work in homes; regulating and in certain cases prohibiting, industrial homework; imposing duties, restrictions and liabilities on industrial home-workers and on persons, partnerships, associations and corporations, home-workers for manufacture or work thereon; requiring permits and home-workers' certificates and prescribing the fees therefor; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by altering the requirements for paying fees; providing for nonpayment of fees by employers hiring handicapped persons under certain conditions and requiring approval of the Industrial Board in formulation of rules and regulations.

Mr. QUISENBERRY, from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 535, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by changing the amount of reimbursement for the counties and for the first year a county operates under the act the dates for entry of claims giving of notice claims becoming absolute filing of exceptions and the holding of sales and changing the manner of distributing certain payments.

SECOND BIENNIAL REPORT OF PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Mr. WOOD presented a communication submitting the second Biennial Report of the Pennsylvania Commission on Interstate Cooperation to the Governor and the General Assembly of the Commonwealth of Pennsylvania, Session of 1953.

The communication was read as follows:

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Pennsylvania Commission on Interstate Cooperation, I have the honor to transmit herewith the Second Biennial Report of the Pennsylvania Commission on Interstate Cooperation, Session of 1953, for the calendar years 1951 and 1952.

Copies of this report for distribution to the members of the House of Representatives have been delivered to the office of the Chief Clerk of the House.

Respectfully submitted,

(S) NORMAN WOOD, Chairman.

(For report, see appendix)

PUPILS OF WEST KITTANNING SCHOOL WELCOMED

The SPEAKER pro tempore. The Chair is pleased to welcome to the House this morning pupils of the eighth

grade of the West Kittanning School, of the Kittanning Area Schools, under the direction of their teachers, Mrs. Wallwork and Mr. Best. They are the guests of the gentlemen from Armstrong, Messrs. Helm and Guthrie.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, first of all I want to congratulate the House upon the attendance. Even so there are some ten or twelve Members who are absent without leave, a situation which should be remedied. It is very important that the Members attend the party caucuses and that there be a full attendance.

When we survey the calendar we cannot but reach the conclusion that as far as the 1953 Session of the General Assembly is concerned it really begins today.

Now, Mr. Speaker, the Democratic party is an organization and the Republican party is an organization. There are certain basic principles that apply as far as organizations are concerned.

First of all, if you have an organization there must be leadership. Second, if you have leadership and an organization you have to have a clear, comprehensive plan; not a part of a plan—a clear, comprehensive plan. You must have your objectives in mind. We cannot work, and no organization can work "off the cuff" from day to day, subject to the varying currents of opinion, standing one place today, another place tomorrow. And when you have leadership and when you have a clear, comprehensive plan there must be fidelity to the plan.

We gain nothing by emphasizing our disagreement either in caucus or on the floor, especially if we do nothing to discover our areas of agreement. There are times when the Democratic organization has been nominated as a "party of obstruction." Whether we have or have not been functioning in that role is a matter of opinion. If we have been, I am quite sure that the majority party would have no intention of taking that role from us. Both parties are about to caucus. Now if we are not to be a party of obstruction, if we are to seek areas of agreement, there must be something to agree with and about.

The purpose for which the majority organization will shortly retire is to assume responsibility for a general legislative program, and on our side we cannot determine a course of action until we have some notion as to what you intend to do today and tomorrow and next month and the month after that and the month after that.

It has taken six months to arrive at this present situation and if you think you are going to get out of it in six minutes or six hours or six days, it is a mistaken belief. We cannot afford to let our tempers disorganize our efforts. We cannot afford to let our party prejudices disorganize our efforts and we cannot afford to permit the internal disputes within the Republican organization to disorganize our legislative efforts.

We on the minority side must retire into our caucus to await the decisions arrived at in your caucus, and when you have caucused and you have returned, we shall confer with your party leaders and then perhaps we will ask the privilege of another caucus. I have a notion that we will ask the privilege of caucusing quite frequently.

It is not our intention to be hurried into precipitate action on the basis of an 80-page calendar and swallow measure after measure that we have not had time to properly discuss, and I rather imagine that from time to time when important bills are about to be discussed, I will ask the privilege before the vote is taken, before the discussion ends, to hold a caucus with the leaders of the Philadelphia delegation, Democratic delegation, with the leaders of the Pittsburgh delegation, with the leaders of the Democratic rural block so that we can, on our side, proceed intelligently and minimize discord.

I hope that in the Republican caucus instead of so many Members having so many things concerning which they are in disagreement will begin within their own circle to establish the areas of definite agreement which will make it much easier for the minority party to cooperate with a majority that actually functions.

PERMISSION REQUESTED FOR COMMITTEE TO MEET DURING SESSION

Mr. KRATZ asked permission for the Committee on Municipal Corporations to meet during the session of the House.

The SPEAKER pro tempore. The Chair is about to declare a recess. Will the gentlemen please call his Committee meeting immediately upon the calling of a recess?

Mr. KRATZ. I will be glad to do so, sir.

CAUCUSES

The SPEAKER pro tempore. Immediately upon the calling of a recess, there will be a caucus of the Republican Members in the new House Caucus Room. The Democratic Members will caucus in the old House Caucus Room.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, since the Chairman of the Railroads and Railways Committee is here, perhaps he could state to the House when he expects to call a meeting of his committee.

The Chairman of the Committee says he expects to call a meeting tomorrow but has not set the time.

Mr. Speaker, I suggest to the Majority Leader that he intervene in this situation and give us a definite statement as to when that particular Committee proposes to meet for business.

Mr. JOHNSON. Mr. Speaker, I might say in reply to the gentleman that the Majority Leader makes no pretense at trying to control our Committee Chairmen. The gentleman has stated that he intends to call a Committee meeting tomorrow and he has as yet not fixed the time. I think that is the answer to the situation. That comes from the Chairman himself.

Mr. ANDREWS. Mr. Speaker, that is the basic, fundamental fault. Nobody seems to control anything. We have been here six months and this particular committee has never held a meeting for business. The responsible leaders of the party are so diffident that there is no apparent way of bringing pressure upon the Chairman to get a definite commitment as to what he is going to do and not what he expects to do.

Where is the Speaker—I mean the regular Speaker—

I would like to know whether there is any power resident in the Speaker, or do we have to circulate a petition to get a meeting of this Committee—a definite commitment?

The SPEAKER pro tempore. The Chair will submit to the Speaker the message of the gentleman from Cambria.

Mr. ANDREWS. And transmit to the Speaker also the word that we will expect some steps to be taken to secure a definite statement as to when this particular Committee is going to meet.

The SPEAKER pro tempore. The Chair will be most happy to do that.

COMMITTEE MEETING

Mr. KRATZ. Mr. Speaker, am I to understand that immediately on the declaration of this recess my Committee will meet before they go to their respective caucuses? It will only take them about two minutes.

The SPEAKER pro tempore. That is the understanding of the Chair. The Committee on Municipal Corporations will meet to the Speaker's left immediately upon the calling of the recess.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened with a very great deal of interest to the remarks of the gentleman from Cambria, Mr. Andrews, the Minority Leader, when he said that possibly there was a lack of control, or a lack of authority on the part of the leadership, which could possibly apply to both sides of the House.

I would like to suggest to them that maybe the fault of the whole Session is too many people trying to control too many things, and that might apply more to the other side of the House than it does to this.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I would inform the gentleman from Blair that the only thing I control is my personal opinion. It is not my fault that the majority party could not proceed under a unit rule. It is not my doing that the Democratic party through its State Committee made definite commitments concerning legislation. The Republican majority feels at liberty to disregard its platform commitments. We do not.

When at the beginning of a Session a majority party regnant, triumphant, in control, says, "We have a program and this is it; You are going to accept it; we are not going to compromise; we have the perfect plan," and then they cannot put it across, it comes with very poor grace to say that we shall swallow the mess you made. We are not going to swallow it.

There is not a single Democratic vote for a sales tax. You cannot get them. I did not do it. The party did it. That is where we stand.

As soon as you have 105 votes for your sales tax or as soon as you have 95 for any other kind of tax, you can get ahead I think, with your tax program. But you cannot come to us with an ultimatum, and come with a program of futility and blame us for being obstructionists.

Some day, if you think we have been an obstructionist party we will give you a demonstration of what could be done to obstruct the House under the Rules. If we wanted to proceed with all the means of obstruction that could be used under the Rules of this House, you would be here a year from now.

RECESS

The SPEAKER pro tempore. Without objection, the Chair now declares a recess until 2:30 p. m. EST. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER pro tempore (Mr. Readinger) in the Chair.

REPORT FROM COMMITTEE

Mr. BOLTON, from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 543, entitled:

An Act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WILLIAM B. SMITH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SENATE MESSAGE

CONCURRENT RESOLUTION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, June 9, 1953.

Resolved (if the House of Representatives concur), That Senate Bill No. 171, Printer's No. 63, entitled "An act authorizing and empowering the Supreme Court of Pennsylvania to prescribe by general rule the practice and procedure governing appeals to the Supreme or Superior Courts of Pennsylvania," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 124, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commission; defining the powers and duties of the Governor and other executive and administrative

officers, and of the several administrative departments. boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a board of trustees for Dixmont State Hospital in the Department of Welfare, defining its powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 866, entitled:

An Act to further amend section 6 of the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by providing that the assessed valuation of property shall be based upon an established predetermined ratio of its actual value.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1150, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the provisions relating to the time for holding special elections for Representatives in Congress and Senators and Representatives in the General Assembly and for certifications by the Secretary of the Commonwealth to County Boards of Elections with respect to the nominees for certain offices to be filled at special elections and providing for the holding of special elections to fill vacancies in offices of political subdivisions, and for nominating candidates therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1220, entitled:

An Act adopting the Scribner log rule as the standard log rule for determining the board foot content of saw logs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1227, entitled:

An Act making an appropriation from the Motor License Fund, to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection, construction or reconstruction and equipment of an office building thereon for the use of the Bureaus of Motor Vehicles and Highway Safety

The first section was read.

On the question,

Will the House agree to the section?

Mr. MOODY offered the following amendments:

Amend Section 1 Page 2 line 1 by inserting after the figure "1" and before the word "The" the following

"So much of the money in the Motor License Fund as may be needed from time to time but not to exceed"

Amend Page 2 line 1 by striking out at the end of said line the words "or so"

Amend Page 2 line 2 by striking out at the beginning of said line the words "much thereof as may be necessary"

Amend Page 2 line 2 by striking out at the end of said line the words "from the"

Amend Page 2 line 3 by striking out at the beginning of said line the words "Motor License Fund"

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1240, entitled:

An Act regulating for the general welfare of the Commonwealth and safety of coal miners and other persons certain related underground minerals being coal, gas and oil and the underground storage of gas in underground strata by regulating the location, drilling, reconditioning, and abandoning of oil and gas wells through workable coal seams; providing for the protection of said coal and said wells; providing for the regulation of the underground storage of gas in the vicinity of or under coal mines, providing for the filing of information relating to the underground storage of gas and the operation of coal mines; providing for the certification of underground gas storage reservoirs in the vicinity of or under coal mines; imposing duties upon gas storage operators, persons operating coal mines, other persons engaged in operations affecting the mining of coal or the underground storage of gas, and the Department of Mines and Courts of Common Pleas, and prescribing methods for the enforcement of such duties; granting certain corporations the right of eminent domain to appropriate interests in real property for surface and sub-surface operations in connection with the underground storage of gas; providing for hearings and appeals; and providing penalties.

The first Article was read.

On the question,

Will the House agree to the section?

MOTION TO RECOMMIT

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of further consideration.

On the question,

Will the House agree to the motion?

Mr. KENT. Mr. Speaker, I rise to oppose this motion. The gentleman has not stated what his reason for recommitting this bill is. Of course, I am limited here now to this motion and I cannot debate the merits of the bill. I will not attempt to go into any of the merits of the bill. However, I would like to give the Members of the House information as to the path this bill has followed and some of the things that have been done in regard to not only the bill but the problem which it seeks to solve.

I suppose no other bill—at least since I have been in the Legislature—has aroused any more interest or attracted any more attention or provoked any more mail than House Bill 1240. I think that reason in itself is the best reason why the bill should not be recommitted. There are many others.

The Members of the House will recall that the first bill dealing with the regulation of the underground storage of gas was known as House Bill 586, and several other names, and that after several weeks House Bill 1240 was introduced by me. I would like to state the reasons why this second bill was introduced.

In the first place, the problem of the hazard and the danger created by the underground storage of gas under operating coal mines is nothing new. My information is—and I know that it is true—that the gas interests and the coal interests have met and discussed the problem. It has been discussed by different organizations and different people who are interested. They had had experts before them to discuss the problems involved for at least a year before House Bill 586 was ever introduced in this Legislature.

After I introduced House Bill 586, I suggested to the parties interested that they try to sit down around a table and work out their problems, problems that both interests recognized. That effort was made and they met for several weeks. At least part of the gas industry met with the coal people.

After meeting for those many weeks, discussing the problems, certain things were agreed to that should be included in any bill that was to be presented to this House for a vote. As a result of those meetings and the discussions that took place there, House Bill 1240 was drafted, and the provisions that are contained in it were the ones that were discussed and grew out of those meetings.

After House Bill 1240 was introduced, a hearing was held at the request of the gas people. And I think it is too bad that every Member of this House could not have attended that hearing, because I think they could have then gotten information which has never been presented to them properly or in a fair, unbiased way.

Many of the misrepresentations and vicious attacks made against this bill would have been exposed if all the Members of the House could have attended that hearing. I think the case of the sponsors of the bill were very well presented. The gas people presented their case. I will leave it to the other members of the Committee and those who attended the hearing as to who presented the best case.

At any rate, shortly after the hearing was held, the Committee on Mines and Mining met and discussed the bill for well over an hour. After that discussion the vote was taken and the bill was reported to the floor of this House.

Now there can be no question, Mr. Speaker, that a very serious problem is involved in House Bill 1240, a problem which concerns the safety and the lives and the well-being of thousands of miners in Pennsylvania.

Much has been said that safety and hazard is not involved at all, that this is simply a fight between the gas people and the coal people, and it should be resolved between themselves and not by the Legislature.

Very frankly, Mr. Speaker, I wish that that could have happened. It is not unusual that we find ourselves confronted here in this House with problems that other people cannot solve. And we are called upon to pass laws to regulate the conduct of people all over Pennsylvania, especially where it involves the safety and the well-being of the citizens of Pennsylvania. If they cannot resolve them themselves, it is our responsibility to do that.

Mr. Speaker, inasmuch as this bill has attracted the attention and the interest that it has, I think it is only fair that everyone has a chance to vote upon this bill. I therefore would ask the Members of this House to at least give the sponsors and the many thousands of people who are interested in this bill their day in court so that we can decide this question and have a vote on the final passage of the bill.

Mr. TOMPKINS. Mr. Speaker, I am asking that this bill be recommitted to the Committee on Mines and Mining for further consideration. My purpose in it is this. There was a public hearing on this bill at which time representatives of gas and coal interests presented their respective sides. However, the public in that particular hearing was completely ignored.

There were representatives there to speak on behalf of the public but there was not sufficient time. It is no discredit and no reflection upon the Mines and Mining Committee, that representatives of the public who were there desiring to be heard, that they were not heard because of the lack of time that the Committee had to be able to hear the people.

They talk about safety of the lives of the miners. Well, I am just as much interested in the safety of the lives of the miners as everybody else in this House. But somewhere along the line somebody has forgotten about the safety of the lives of the consumers of natural gas. I think that that question should be thoroughly aired before a committee competent to hear and determine it. Because a number of lives affected by this bill, by consumers of natural gas is very, very far in excess of the miners who might be protected by this bill.

Now if it is a safety measure, let us make it a safety measure for both sides of the house. Not only for the mining interests. I think those people should be heard in that respect.

So far as any vicious attacks are concerned, I do not know that there has been anything in the nature of vicious attacks made by anybody on either side of this bill.

I think there had been some statements made purport-

ing to be facts that should be clarified and put in their proper perspective. With all the implications that are in this bill and the particular public interest that is involved in it, I certainly think this bill should have a further consideration in the Mines and Mining Committee to bring all factors of the whole public in Pennsylvania into it, who are going to be affected as a result of this bill.

Mr. HEWITT. Mr. Speaker, the gentleman from Cameron made the remark that the hearing was not held in fairness to all people. I would like to say that from the start of this thing when I was asked to hold a public hearing, I bent over backwards to please everybody that was interested in this piece of legislation.

The day of the hearing each side was allotted one hour. It happened that the gas people were heard first, and they talked an hour and fifteen or twenty minutes which cut the time short for the others.

There was a gentleman here from the district from which Mr. Tompkins is a Member, and also a Mr. Folke from Johnstown, who came here as consumers.

Of course I did not make up the itinerary of the various speakers. It was up to the gas people and the coal people to furnish their people to give the testimony. I had nothing to do with the arranging of that. However, I was trying very hard to assure these gentlemen who were not on the list of speakers, but it happened that the Speaker of the House sent word to my desk that we must close the hearing at once; that the House was going into Session in an hour and it seemed to me it was against parliamentary procedure and the Rules of the House to have a hearing with not all the Members of the House in their seats.

I explained this to the gentlemen who were present, and the gentleman from Cameron and the gentleman from Cambria came to my desk very nicely and thanked me for trying to consider their case. They said they were perfectly pleased and left the data with me which they were going to read before the Committee.

I wrote to both of those gentlemen immediately thanking them for their courtesy to me and assured them that their literature was taken into our meeting. Mr. Kent said the meeting lasted an hour and a great part of that time was taken up presenting the case of these consumers.

I think it is unfair to me as Chairman of the Committee to insinuate that I tried to shut anybody off.

Mr. TOMPKINS. Mr. Speaker, if any part of my remarks had any implications of any unfairness on Mr. Hewitt's part, I will ask them to be expunged from the record because I know no more fair man in this House than Earl Hewitt.

I think I stated in my remarks to the effect that it was unfortunate that we did not have sufficient time left for the Committee to show the courtesies which were in their heart to show us. For that reason I am asking that this bill go back so that this coverage can be made.

Mr. KENT. Mr. Speaker, just to add a little to what Mr. Hewitt said, the notice of this hearing was in the papers. I am sure it was circulated statewide for at least a week before the hearing was conducted, and had any great number of people, other than the ones who did present themselves, appeared to be heard. I am sure other arrangements and a prolonged hearing could have been held at that time.

There is one other thing that I would like to say. Mr. Tompkins raised the point that we should think about the safety of the gas consumer. If there is any problem of safety to gas consumers that arises from the provisions of this bill, this is the first that it has been called to my attention. There has been opportunity to amend this bill in order to accomplish that thing if it exists.

I do not see the reasoning that a bill should be recommitted—it might deal with the miners all right, but it does not deal with the safety of somebody else.

If Mr. Tompkins is sincere in that belief, he is certainly free to introduce a bill that will remedy that situation.

Mr. ANDREWS. Mr. Speaker, I rise to support the motion to recommit. We face a situation that has been in the making for the last quarter of a century.

The problems we face are the problems that the gas industry and the coal industry faced a quarter of a century ago. I question the immediacy of the danger. I point out to the Members of the House that the coal people and the gas people have already gone considerably more than half way in resolving their differences. If given the opportunity there is reason to believe they can go the rest of the distance.

We face a technical and a business problem—technical, and business. It is a problem to be solved by business men and technical men in businesslike fashion. It is unfair to the Members of this House to dump a controversy that is, I would say, two-thirds settled into our laps when given a little more time the two parties involved can in all probability go the rest of the way themselves.

I resent the aura of hysteria that has surrounded this bill. I resent first a great deal of the propaganda of the gas companies, designed to unduly alarm a gas-consuming public, and I resent the propaganda of the coal interests which drag out the spectre of a great calamity and cite a danger of tomorrow which hasn't happened for the last quarter of a century.

And so, I think that a little more time in which tempers can cool, a little more time in which the parties interested can negotiate will lead to a solution within the confines of the two industries involved. That is what we want. We know that at least one of the great gas companies furnishing a wide area will not be materially affected by this bill. It has itself been doing the things the bill would have the gas companies do. The other gas companies are already proceeding to do the same thing, and if given an opportunity for further negotiation, I am convinced they can come before this House with a bill that will not divide the membership, will not divide the two industries, but will present us with the fact accomplished—a working agreement that serves the interests of all the people.

I resent the fact that the gas companies say "If you are a friend of ours you will oppose this bill," and the coal miners say "If you are a friend of ours, you will support this bill." Now, I am not an enemy of the miners, and I have never been particularly friendly with the gas company, but I do urge that there be time,—time is a great solvent, especially when tempers are hot, and I am not pleading for a period of indefinite delay.

I close by pointing out how far the gas people have gone so far in solving the problems that do exist and in

accepting a formula that would govern future operations. So I say it is my belief that if we send this bill back to Committee for a period, that the gas companies and the coal companies, in fairness to this House, in fairness to themselves as business people, will come before us with a regulatory bill which will not be a subject of conflict, but will be a fact accomplished in the interests of good business and safety for all concerned.

Mr. PETROSKY. Mr. Speaker, I find myself in disagreement with my Minority Leader upon the particular motion that is before us today.

I rise in support of the position of my learned colleague from Crawford, Mr. Kent, because we in the coal areas recognize that a problem exists.

I want to say here, Mr. Speaker, that I do not intend to debate this bill, but I ask the membership on both sides of this House to take cognizance of the fact that there is a problem. Give us the opporunity on third reading of this measure to debate the pros and cons of House Bill 1240 on the floor of the House, then make your decision. Do not be misled by the gutter-type propaganda that has emanated from every quarter of the State on this particular piece of legislation.

I ask the membership of the House here today to vote against recommittal of this measure. Let the bill be discussed upon the floor of the House, and unless you can decide that no problem exists that concerns the safety of the coal miners, and unless you find out that there is going to be a curtailment of gas storage, then vote against the bill; make your decision upon the matter before the entire body.

In event you find that there is a very present danger to the safety of the coal miners, and in event you find in the discussion of this bill that there will be no curtailment of gas storage, then I know you will cast your vote in favor of House Bill 1240. Give us the opportunity to discuss this bill, the pros and cons of it at length on third reading. Vote against recommittal today and render a service to all the people of the Commonwealth by so doing.

Mr. MAXWELL. Mr. Speaker, I would like to make a very brief statement.

It seems like every one here is concerned about the gas and the coal companies. They have completely forgotten the person who is building a home. They have also forgotten the man who sells and installs gas appliances.

The gas companies have completely stopped all installations of gas appliances. There are hundreds of people in my district who are building homes who are just stuck. I say there should be no further delay in deciding this bill one way or the other. Let us have this bill on third reading. Let us vote against any motion to recommit it. Then let the Members vote the way they want. Let us not keep these homes from being built, and have the people in indecision, not knowing where they are going or what they are going to do.

On the question recurring,

Will the House agree to the Motion?

The yeas and nays were required by Messrs. KENT and ROVANSEK and were as follows:

YEAS—62

Andrews,	Flynn,	Lippincott,	Rubin,
Ashton,	Geer,	Lutty,	Sarraf,
Barkdoll,	Gibson,	Mathews,	Schmidt,
Bear,	Gramlich,	McInroy,	Schuster,
Bucchin,	Hall,	Metz,	Shotwell,
Bullen,	Hamilton, R. K.,	Mihm,	Smith, W. B.,
Cioffi,	Hamilton, W. H.,	Miller,	Stevenson,
Cochran,	Haudenshield,	Moody,	Thomas,
Connelly,	Jenkins,	Moran,	Thompson,
Davis,	Jim,	Moscrip,	Tompkins,
Down,	Johnson,	Murray, J. J.,	Vaughan,
DuBois,	Jones, Geo. E.,	Ogilvie,	Walsh,
Erb,	Jones, Paul F.,	Olsen,	Wilt,
Fenrich,	Kamyk,	Reagan,	Worley,
Filo,	Lafore,	Richter,	Young,
Fleischman,	Leonard,		

NAYS—131

Adam,	Guss,	McGee,	Spencer,
Alexander,	Gutendorf,	McWherter,	Stank,
Amarando,	Guthrie,	Mikula,	Stimmel,
Auker,	Harris,	Mills,	Stone,
Banker,	Helm,	Monroe,	Stoner,
Baumunk,	Hersch,	Moore,	Strausser,
Bazin,	Hewitt,	Muldowney,	Sucher,
Blair,	Hocker,	Munley,	Taylor,
Bolton,	Jones, Granville E.,	Murray, P. G.,	Toll,
Boory,	Jump,	Musto,	Toomey,
Bower,	Keller,	Naugle,	VanSant,
Breisch,	Kent,	Needham,	Varallo,
Breth,	Kerlin,	Parlante,	Varner,
Brown,	Kohl,	Peifly,	Wall,
Buchanan,	Kolankiewicz,	Peta,	Wallace,
Capano,	Kornick,	Petrosky,	Wargo,
Cianfrani,	Kromer,	Pfaff,	Waterhouse,
Clapper,	Kubacki,	Phillips,	Weidner,
Comer,	Lederer,	Polaski,	Welsh,
Conner,	Leisey,	Polen,	Wescott,
Coyle,	Leven,	Poltenstein,	Whalley,
Curwood,	Light,	Quisenberry,	Wheeler,
Dougherty,	Limper,	Ragot,	White,
Downey,	Lopresti,	Readinger,	Whitenight,
Dunn,	Lovett,	Reidenbach,	Willaredt,
Farabaugh,	Maguire,	Rosen,	Williams,
Ferster,	Mahan,	Rovansek,	Wood,
Flack,	Markley,	Royer,	Yeakel,
Frost,	Maxwell,	Schwartz,	Yetzer,
Gleason,	McCann,	Scott,	Zeitz,
Glick,	McCormack,	Seyler,	Ziegler,
Goodling,	McCullough,	Shoemaker,	Smith, C. C., Speaker
Greenwood,	McDermit,	Snider,	

NOT VOTING—14

Boies,	Floyd,	Kline,	Price,
Bomberger,	Hoggard,	Kratz,	Verona,
Cooper,	Ide,	Pettigrew,	Watkins,
Ewing,	Jones, T. H. W.,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring.

Will the House agree to the Article?

Mr. KENT offered the following amendment:

Amend Sec. 1, page 5, by inserting between lines 16 and 17 (19) The terms "division" and "Oil and Gas Division" mean the Oil and Gas Division of the Department of Mines of the Commonwealth of Pennsylvania as established by this act.

It was agreed to.

The Article was agreed to as amended.

The second Article was read.

On the question,

Will the House agree to the Article?

Mr. KENT offered the following amendments:

Amend Sec. 21, page 6, lines 11 and 12, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 21, page 6, line 14, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 21, page 6, line 18, by striking out "department" and inserting in lieu thereof "Department of Mines."

Amend Sec. 21, page 7, line 11, by striking out "bearing" and inserting in lieu thereof "producing."

Amend Sec. 21, page 7, lines 13 and 14, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 21, page 7, line 15, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 22, page 8, line 5, by inserting after "file" "within."

Amend Sec. 22, page 8, line 7, by striking out "department" "division."

Amend Sec. 22, page 8, line 8, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 22, page 8, line 13, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 22, page 8, line 14, my striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 8, line 17, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 8, line 20, by striking out "Department of Mines the department" and inserting in lieu thereof "Oil and Gas Division, the division."

Amend Sec. 22, page 9, line 7, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 9, line 8, by striking out "department" where it appears the first time in said line, and inserting in lieu thereof "division."

Amend Sec. 22, page 9, line 8, by striking out "department" where it appears the second time in said line, and inserting in lieu thereof "division."

Amend Sec. 22, page 9, line 11, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 9, line 14, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 9, lines 14 and 15 by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 9, line 17, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 10, line 2, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 22, page 10, line 6, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 22, page 10, line 11, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 10, line 14, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 10, line 15, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 22, page 10, line 17, by striking out "Department" and inserting in lieu thereof "Division."

Amend Sec. 22, page 11, line 7, by inserting after "upon" "such."

Amend Sec. 23, page 11, line 14, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 23, page 11, line 15, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 11, line 20, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 12, line 7, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 12, lines 13 and 14, by striking out "Department of Mines the department" and inserting in lieu thereof "Oil and Gas Division, the division."

Amend Sec. 23, page 12, line 19, by striking out "Department of Mines the Department" and inserting in lieu thereof "Oil and Gas Division, the division."

Amend Sec. 23, page 13, line 8, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 13, line 16, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 13, line 17, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 14, lines 1 and 2, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 23, page 14, line 7, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 23, page 14, line 11, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 23, page 14, lines 16 and 17, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division,"

Amend Sec. 23, page 14, line 20, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 15, lines 1 and 2, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 15, line 6, by striking out "Department" and inserting in lieu thereof "division."

Amend Sec. 23, page 15, line 9, by striking out "Department" and inserting in lieu thereof "division."

Amend Sec. 23, page 15, line 11, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 23, page 15, line 14, by striking out "coal" and inserting in lieu thereof "well."

Amend Sec. 23, page 15, line 15, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 23, page 15, line 19, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 23, page 16, line 2, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 24, page 17, line 9, by striking out "strated" and inserting in lieu thereof "started."

Amend Sec. 25, page 20, line 20, by striking out "department)" and inserting in lieu thereof "Oil and Gas Division)"

Amend Sec. 25, page 21, line 4, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 27, page 22, line 19, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 27, page 23, line 1, by striking out "working" and inserting in lieu thereof "workable."

Amend Sec. 27, page 23, line 8, by striking out "Department the Department" and inserting in lieu thereof "division, the division."

Amend Sec. 27, page 23, line 12, by striking out "Department of Mines the department" and inserting in lieu thereof "Oil and Gas Division, the division."

Amend Sec. 27, page 23, line 14, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 27, page 23, lines 17 and 18, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 27, page 23, lines 19 and 20, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

They were agreed to.

The Article was agreed to as amended.

The third Article was read.

On the question,

Will the House agree to the Article?

Mr. KENT offered the following amendments:

Amend Sec. 31, page 24, line 11, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 24, lines 16 and 17, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 24, line 20, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 26, line 3, by striking out "comtemplated" and inserting in lieu thereof "contemplated."

Amend Sec. 31, page 26, line 13, by striking out "Depart-

ment of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 26, line 15, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 26, lines 16 and 17, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 27, lines 2 and 3, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 27, line 5, by striking out "suplemental" and inserting in lieu thereof "supplemental."

Amend Sec. 31, page 27, lines 5 and 6, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 27, line 7, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 31, page 27, line 12, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 32, page 28, line 6, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 32, page 29, line 6, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 32, page 29, lines 12 and 13, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 33, page 30, line 7, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 33, page 30, line 12, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 33, page 30, lines 18 and 19, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 31, line 11, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 31, line 19, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 32, line 8, by inserting after "and" "in addition."

Amend Sec. 34, page 32, line 9, by striking out "that" and inserting in lieu thereof "such."

Amend Sec. 34, page 32, line 11, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 33, line 19, by striking out "well has been reconditioned or plugged" and inserting in lieu thereof "projections have been filed."

Amend Sec. 34, page 34, line 15, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 35, line 5, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 35, line 7, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 35, line 14, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 35, line 20, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 36, line 6, by striking out "any."

Amend Sec. 34, page 36, line 7, by striking out "is not permitted" and inserting in lieu thereof "has not been certified."

Amend Sec. 34, page 36, line 9, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 36, lines 12 and 13, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 36, line 13, by inserting after "reservoir" "the."

Amend Sec. 34, page 36, line 20, by striking out "Department of Mines' and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 37, line 18, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 37, line 19, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 37, line 20, by striking out "Department of."

Amend Sec. 34, page 38, line 1, by striking out "Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 38, line 10, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 39, line 5, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division.'

Amend Sec. 34, page 39, lines 7 and 8, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 40, lines 2 and 3, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 40, line 4, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 40, lines 16 and 17, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 41, line 2, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 34, page 41, line 8, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 35, page 41, line 13, by striking out "or" and inserting in lieu thereof "of."

Amend Sec. 36, page 42, line 11, by striking out "proposed" and inserting in lieu thereof "proposed."

Amend Sec. 36, page 42, line 14, by inserting after "corporation" "or two or more corporations, each duly qualified hereunder, acting jointly."

Amend Sec. 36, page 42, line 15, by inserting after "it" "or they."

Amend Sec. 36, page 42, line 19, by striking out "such."

Amend Sec. 36, page 44, line 11, by inserting after "corporation" "or corporations acting jointly."

Amend Sec. 36, page 44, line 17, by inserting after "corporation" "or corporations acting jointly."

Amend Sec. 36, page 45, line 5, by inserting after "corporation" "or corporations acting jointly."

Amend Sec. 36, page 45, line 8, by inserting after "oil" "or gas."

Amend Sec. 36, page 45, line 10, by inserting after "corporation" "or corporations acting jointly."

Amend Sec. 36, page 45, line 10, by striking out "distinertested" and inserting in lieu thereof "disinterested."

Amend Sec. 36, page 45, line 13, by inserting after "corporation" "or corporations."

They were agreed to.

The Article was agreed to as amended.

The fourth Article was read.

On the question,

Will the House agree to the Article?

Mr. KENT offered the following amendments:

Amend Bill, page 47, by inserting between lines 5 and 6 "Section 41. Oil and Gas Division.—(a) There is hereby created a division of the Department of Mines to be known

as the Oil and Gas Division, which division shall have power and authority to execute and carry out the provisions of this act in the manner provided herein. The division shall be under the immediate supervision of a Deputy Secretary of Mines for Oil and Gas, who shall be appointed by the Secretary of Mines with the approval of the Governor, and who shall be under the supervision and direction of the Secretary of Mines. The Deputy Secretary at the time of his appointment shall be a person informed on the subjects of coal mining and oil and gas production and storage, and shall receive such compensation as may be fixed by the Secretary of Mines, with the approval of the Governor.

"(b) The Deputy Secretary shall serve on behalf of the Secretary of Mines as hearing officer at all hearings conducted by the Oil and Gas Division, or in his absence or inability to act such other qualified representative of the Oil and Gas Division as may be designated in writing by the Secretary or said Deputy Secretary of Mines.

"(c) The Secretary of Mines shall appoint and fix the compensation of such additional experts, engineers, geologists, inspectors, investigators, clerks and other employees as may be necessary for the proper conduct of the work of the division, provided that the Secretary of Mines shall so appoint at least one competent engineer or geologist with a degree in petroleum engineering or geology from a recognized institution of learning and at least one competent mining engineer with a degree in mining engineering from a recognized institution of learning, and each having at least four (4) years' practical experience in their respective fields. At all hearings under Article III, there shall be present in addition to the person conducting said hearing at least one of the aforesaid gas engineers or geologists and at least one of the said coal mining engineers who shall consult with the person conducting said hearing and make recommendations to him respecting the matter under consideration.

"(d) Except as otherwise specifically provided in this act, the division and its employees shall be subject to all the provisions of The Administrative Code of one thousand nine hundred twenty-nine, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), its amendments and supplements, which apply generally to administrative departments and offices."

Amend Sec. 41, page 47, line 6, by striking out "41 Hearings and Appeals (a) The Department of Mines" and inserting in lieu thereof "42. Duties.—(a) The Oil and Gas Division."

Amend Sec. 41, page 47, line 10, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 41, page 47, lines 15 and 16, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 41, page 47, line 20, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 41, page 48, line 4, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 41, page 48, line 12, by striking out "Department of Mines" and inserting in lieu thereof "Oil and Gas Division."

Amend Sec. 41, page 48, line 13, by striking out "department" and inserting in lieu thereof "division."

Amend Sec. 41, page 48, lines 18, 19 and 20, by striking out all of said lines.

Amend Sec. 41, page 49, lines 1 to 19, inclusive, by striking out all of said lines.

Amend Sec. 41, page 50, lines 1 to 20, inclusive, by striking out all of said lines.

Amend Sec. 41, page 51, lines 1 to 20, inclusive, by striking out all of said lines and inserting in lieu thereof

"(b) It shall be the duty of the Oil and Gas Division to receive and keep in a safe place for public inspection any map, report, notice or other writing required to be filed with it pursuant to the provisions of this act. The division shall keep such indices of all such information as will enable any person using the same to readily locate such information either by the identity of the person who filed the same or by the person or persons affected by such filing or by the geographic location of the subject matter by political subdivision. The division shall also keep a docket for public inspection of all proceedings, in which shall be entered the dates of any notices, the names of all persons notified and their addresses, the dates of hearings and all orders, decrees, decisions, determinations, rulings or other actions issued or taken by the division, and such docket shall constitute the record of each and every proceeding before the division.

"(c) The Oil and Gas Division shall have authority to make any inspections and investigations which it shall deem necessary or desirable to perform its functions under this act.

"Section 43. Hearings and Appeals.—(a) All hearings before the division shall be public, and shall be conducted in accordance with such regulations and such provisions as to reasonable notice as the division may prescribe. All testimony taken at such hearings shall be under oath and shall be taken down by a reporter appointed by the division and the parties shall be entitled to be heard in person or by attorney, and to introduce evidence and to examine witnesses. The Oil and Gas Division may present at such hearing any evidence which is material to the matter under consideration and which has come to the division's attention in any investigation or inspection made pursuant to provisions of this section

"(b) After the conclusion of hearings, the division shall make and file its findings and order with its opinion, if any. A copy of such order shall be served by registered mail upon the person against whom it runs, or his attorney, and notice thereof shall be given to the other parties to the proceedings, or their attorney.

"(c) The division may, at any time after notice and after opportunity to be heard, pursuant to notice as provided in paragraph (g) of this section, rescind or amend any order made by it. Any order rescinding or amending a prior order shall, when served upon the person affected, and after notice thereof is given to the other parties to the proceedings, have the same effect as is herein provided for original orders; but no such order shall affect the legality or validity of any acts done by such person before receipt by such person of the notice of such change.

"(d) The division shall have the power in any part of the Commonwealth, to subpoena witnesses, to administer oaths, to examine witnesses, or to take such testimony, or compel the production of such books, records, maps, plats, papers, documents and other writings as it may deem necessary or proper in and pertinent to any proceedings, investigation or hearing held or had by it. In case of refusal to obey any subpoena issued to any person any court of common pleas within the jurisdiction where the hearing is held or within the jurisdiction where the person guilty of refusal to obey is found or resides or transacts business shall on application of the Deputy Secretary or his authorized representative have power to enforce such subpoenas in contempt proceedings. The fees for serving a subpoena shall be the same as those paid sheriffs for similar services.

"(e) The division or any party to proceedings before the division may cause the deposition of witnesses residing within or without the Commonwealth to be taken in the manner prescribed by law for taking depositions in civil actions.

"(f) Witnesses who are summoned before the division shall be paid the same fees as are paid to witnesses in the courts of record of general jurisdiction. Witnesses whose depositions are taken pursuant to the provisions of this act, and the officers taking the same, shall be entitled to the same fees as are paid for like services in such courts.

"(g) No person shall be excused from testifying or from producing any book document map plat or paper in any investigation or inquiry by, or hearing before, the division when ordered to do so, upon the ground that the testimony or evidence, book, document, map, plat, paper or other writings required may tend to in-

criminate him or subject him to penalty or forfeiture; but no person shall be prosecuted, punished, or subjected to any forfeiture or penalty for or on account of any act, transaction, matter or thing concerning which he shall have been compelled, under objection, to testify or produce documentary evidence, provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

"(h) Within ten (10) days after the service of any final order, decision, determination or ruling (or if a petition for rehearing or reconsideraiton is filed, then within ten (10) days after service of the order of the division refusing such petition or of the order following rehearing or reconsideration) any person aggrieved thereby who has a direct interest in such adjudication shall have the right to appeal therefrom. Such appeal shall be taken to the court of common pleas of the county wherein the land or other property right affected is located or to the Court of Common Pleas of Dauphin County. If at the time of filing of any such appeal the court is not then in session the president judge of said court or any two judges thereof shall order holding of court upon petition of a dissatisfied party for the purpose of hearing this appeal. Parties interested jointly, severally or otherwise in the same order, decision, determination or ruling may join in an appeal therefrom even though all of the interested parties do not join therein.

"(i) The procedure applicable to appeals from any final order, decision, determination or ruling shall be in accordance with the rules of civil procedure promulgated from time to time by the Supreme Court of Pennsylvania, except as otherwise provided herein. Any party who proceeded before the Oil and Gas Division under the terms of this act shall not be precluded from questioning the validity of said act in the appeal, but such party may not raise upon appeal any other question not raised before the Oil and Gas Division.

"(j) The court to which the appeal is taken shall hear the appeal without a jury on the record certified by the Oil and Gas Division. In any such appeal the findings of the Oil and Gas Division shall, if supported by substantial evidence and in the absence of fraud be conclusive and any such appeal shall be given precedence over all other matters, except matters of the same character. If the order of the Oil and Gas Division is not affirmed, the court may set aside or modify it, in whole, or in part, or may remand the proceeding to the Oil and Gas Division for further disposition in accordance with the order of the court.

"(k) The Oil and Gas Division, or any party affected by any decision of a court on an appeal from an order of the Oil and Gas Division may, within thirty (30) days of the filing of such decision, appeal to the Supreme Court. No appeal taken from the order of the Oil and Gas Division or from the said court shall act as a supersedeas to any such order during the pendency of any appeal therefrom."

Amend Sec. 42, page 52, line 1, by striking out "42" and inserting in lieu thereof "44."

Amend Sec. 43, page 52, line 19, by striking out "43" and inserting in lieu thereof "45."

They were agreed to.

The Article was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. KENT offered the following amendment:

Amend the Title, page 2, line 7 of the Title, by inserting after "duites": "providing for the creation and organization of a division of the Department of Mines to be known as the Oil and Gas Division, defining the powers and duties of such division, prescribing and regulating practice and procedure before the division."

It was agreed to.

The Article was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

PERIMSSION TO INTERROGATE

Mr. ANDREWS. Mr. Speaker, I rise to ascertain whether I may now interrogate the Majority Leader.

The SPEAKER pro tempore. The Chair desires to inform the gentleman from Cambria that the Majority Leader does not appear to be present at the moment. Will the gentleman defer his request until we can locate him?

Mr. ANDREWS. Mr. Speaker, could I interrogate the "deposed" Speaker?

The SPEAKER pro tempore. Will the "deposed" Speaker permit himself to be interrogated?

Mr. CHARLES C. SMITH. I shall, Mr. Speaker. I will be only too glad to be back here in my old place.

Mr. ANDREWS. Mr. Speaker, would the gentleman from Philadelphia be privileged to inform the House as to the contemplated schedule of business for today. The contemplated schedule of business for tomorrow, the contemplated schedule of business for Thursday and the contemplated schedule of business, if any, for the coming week?

Mr. CHARLES C. SMITH. Mr. Speaker, that is rather a big job. As the Minority Leader knows, we agreed to come back into session after our caucus until approximately 5:30. Unfortunately the bill just considered has held us up. We then intended to recess for today and come back this evening sometime, probably around 7:30 or 8:00 o'clock. That would take care of today's schedule.

Tomorrow's schedule probably will be that we will come in somewhere around 12:00 or 1:00 o'clock, do what business we have in the afternoon and probably recess again and come back in the evening. I would presume that Thursday would probably be the same type of schedule. We will probably have an afternoon and an evening session.

As far as next week is concerned I am at this moment unable to inform the gentleman, although I understand that the Senate is trying to make arrangements whereby they would come in and be in session next week. They have conferred with me during the recess but I have not had time to bring it to the attention of our caucus or to the Minority Leader.

Mr. ANDREWS. Mr. Speaker, a further inquiry. Is it the intention of the Majority leadership to make a special order for the so-called Chesterman package, and if so, when?

Mr. CHARLES C. SMITH. So far as I know, Mr. Speaker, there is an intention that the "Chesterman package" be made a special order of business for sometime tomorrow, probably tomorrow evening.

Mr. ANDREWS. Mr. Speaker, is it contemplated to make a special order for Senate Bill 43, the Philadelphia Tax Bill, or will that come up in the regular order?

Mr. CHARLES C. SMITH. As far as I know at this time, Mr. Speaker, that bill will be probably called up in its regular order. There has been no request, at least to me, that that bill come up as a special order of business.

Mr. ANDREWS. Mr. Speaker, one further inquiry. When will the House be informed as to the intentions for the coming week? We Members of the House cannot all

be accommodated at Hershey as the Senate is being accommodated, and if we are to be here, we will insist upon having equally luxurious quarters. I would like to know just where the majority leadership intends to deposit these Members, if not in the hotels?

Mr. CHARLES C. SMITH. Mr. Speaker, I certainly believe that anything under the dignity of Hershey would be under the dignity of this House to house our Members in. I understand that if the Members of the House would like to come back next week, Mr. Andrews and myself and any other group of men who would like to may go out to look at the officers' quarters at Indiantown Gap. I understand they are very luxurious—they have running hot and cold water. I do not think we could have maid service—but I do not think the gentleman needs maid service at this time . . .

Mr. ANDREWS. At this age, you mean!

Mr. CHARLES C. SMITH. And if the House does decide they would like to come back next week, I am quite sure we would be able to find accommodations that would be available, on a par and equal to Hershey, somewhere nearby Harrisburg.

Mr. ANDREWS. I thank the gentleman.

Mr. CHARLES C. SMITH. Mr. Speaker, I thank the gentleman for getting me out of the pulpit, too.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1296, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to execute on behalf of the Commonwealth a compact with certain other states for the effective prevention and control of forest fires and for mutual aid in fighting forest fires.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1300, entitled:

An Act to add section five to the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth, showing the location of the same and the geologic formations encountered therein, and to make copies of such records available upon payment of prescribed fees; and providing fees and penalties," by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund, and directing that appropriations to carry out the provisions of the act are made from the General Fund, upon proper budgetary request.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1323, entitled:

An Act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (P. L. 535), entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor," in so far as it relates to counties of the fourth class and cities, boroughs, townships and school districts situate in such counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 304, entitled:

An Act to further amend Section 3 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-one (P. L. 276) entitled as last amended "An act requiring persons partnerships associations or corporations advertising for or soliciting business as adjusters of claims within this Commonwealth for loss or damage arising out of policies of insurance surety or indemnity on property persons or insurable business interests within this Commonwealth to be licensed by the insurance Commissioner requiring persons partnerships associations or corporations acting as solicitors for said adjusters to be licensed by the Insurance Commissioner regulating the issuance and revocation of such licenses prescribing certain conditions for the transaction of such business providing for the filing of bonds by public adjusters and public adjuster solicitors and for recovery thereon by parties in interest and providing penalties" by further regulating the licensing and conditions for transaction of such business

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 408, entitled:

An Act to further amend Section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mother's Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by requiring the Department of Public Assistance to prosecute suits against certain relatives of indigent persons receiving assistance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 347 as follows:

An Act to further amend Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring city

treasurers to also provide insurance against loss of taxes as a result of fire burglary larceny theft robbery or forgery.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1402 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. 662) is hereby further amended to read as follows

Section 1402 Bond Insurance Salary The city treasurer shall give lawful fidelity bond to the Commonwealth with a surety company authorized by law to act as surety to be approved by the city council in such sum as it may by ordinance direct conditioned for the accounting for and paying over all moneys received by him in his capacity as city treasurer and the safe-keeping and payment over of all public moneys entrusted to his care and that as tax collector of city county institution district and school taxes he shall account for and pay over all moneys received by him as taxes penalties and interest The city treasurer shall in addition furnish adequate insurance protection against any and all losses of said funds through fire burglary larceny theft robbery or forgery Such insurance shall be approved by the city council in such sum as it may by ordinance direct The city treasurer and his surety shall be discharged from further liability on any bond as tax collector as soon as all tax items contined in the duplicates delivered to him are either (1) collected and paid over or (2) certified to the city council for entry as liens in the office of the prothonotary or as claims in the tax claim bureau as the case may be or (3) returned to the county treasurer or city treasurer for sale or (4) in the case of taxes not levied upon real estate a record of those which remain uncollected is filed with the tax authority The city treasurer shall be required to give in addition to insurance as aforesaid but one bond which shall include his duties as city treasurer and collector of city county institution district and school taxes and shall cover the full term of his office Should any of the taxing districts be of the opinion at any time that the bond and insurance as aforesaid [given] provided by the city treasurer is not sufficient in amount [or] as to the surety and insurance thereon the said taxing district may petition the court of quarter sessions having jurisdiction in the city to have the city treasurer furnish additional bond and insurance as aforesaid Thereupon the city treasurer shall furnish such additional bond and insurance if any as the said court may prescribe The premium of [such] the bond or bonds and insurance shall be paid by the city or shared pro rata by the taxing districts interested as the case may be according to their respective tax interests The treasurer shall not in any event be required to [give] provide bond or bonds and insurance [aggregating] in an amount in excess of the taxes to be collected by him The bond or bonds and insurance [given] provided by the city treasurer shall or be for the use of the city and the taxing districts involved He shall as city treasurer receive a fixed annual salary to be provided by ordinance His compensation as tax collector for the city county institution district and school district shall be as provided for in the Local Tax Collection Law

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Mathews,	Schuster,
Alexander,	Goodling,	Maxwell,	Schwartz,
Amarando,	Gramlich,	McCann,	Scott,
Andrews,	Greenwood,	McCormack,	Seyler,
Ashton,	Guss,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Hall,	McInroy,	Snider,
Baumunk,	Hamilton, R. K.,	McWherter,	Spencer,
Bazin,	Hamilton, W. H.,	Metz,	Stank,
Bear,	Harris,	Mihm,	Stevenson,
Blair,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Boory,	Hersch,	Mills,	Stoner,
Bower,	Hewitt,	Monroe,	Strausser,
Breisch,	Hocker,	Moody,	Sucher,
Breth,	Jenkins,	Moore,	Taylor,
Brown,	Jim,	Moran,	Thomas,
Bucchin,	Johnson,	Moscrip,	Thompson,
Buchanan,	Jones, Geo. E.,	Muldowney,	Toll,
Bullen,	Jones, Granville E.,	Munley,	Tompkins,
Capano,	Jones, Paul F.,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Murray, P. G.,	VanSant,
Cioffi,	Jump,	Musto,	Varallo,
Clapper,	Kamyk,	Naugle,	Varner,
Cochran,	Keller,	Needham,	Vaughan,
Comer,	Kent,	Ogilvie,	Wall,
Connelly,	Kerlin,	Olsen,	Wallace,
Conner,	Kline,	Parlante,	Walsh,
Coyle,	Kohl,	Peifly,	Wargo,
Curwood,	Kolankiewicz,	Peta,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Dougherty,	Kratz,	Pfaff,	Welsh,
Down,	Kromer,	Phillips,	Wescott,
Downey,	Kubacki,	Polaski,	Whalley,
DuBois,	Lafore,	Polen,	Wheeler,
Dunn,	Lederer,	Poltenstein,	White,
Erb,	Leisey,	Price,	Whitenight,
Ewing,	Leonard,	Quisenberry,	Willaredt,
Farabaugh,	Leven,	Ragot,	Williams,
Fenrich,	Light,	Readinger,	Wilt,
Ferster,	Limper,	Reagan,	Wood,
Filo,	Lippincott,	Reidenbach,	Worley,
Flack,	Lopresti,	Richter,	Yeakel,
Fleischman,	Lovett,	Rosen,	Yetzer,
Flynn,	Lutty,	Rovansek,	Young,
Frost,	Maguire,	Royer,	Zeitz,
Geer,	Mahan,	Rubin,	Ziegler,
Gibson,	Markley,	Sarraf,	Smith, C. C., Speaker
Gleason,		Schmidt,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1007 as follows:

An Act to amend Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" by allowing the district attorneys of the several counties necessary expenses in cases appealed to any appellate court of this Commonwealth or to any court of the United States and eliminating ineffective provisions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county" is hereby amended to read as follows

Section 2 That when the record in any criminal case shall have been removed by writ of certiorari or otherwise to [the Supreme Court] any appellate court of this Commonwealth or to any appellate court of the United States for review and shall have been therein disposed of the necessary expenses of the district attorney in connection therewith including a reasonable compensation for his services to be fixed by the court in addition to

the regular fee now allowed him by law for trying the case in the lower court shall be paid by the proper county and the costs of the officers including the costs of the justice of the peace and constable and all cases of wife desertion and surety of the peace shall be chargeable to and paid by the proper county as soon as the case is disposed of by the order of the court and it shall be the duty of the district attorney and county commissioners to use all due diligence to collect the costs in every case mentioned in this act from the party made liable therefor by the sentence or order of the court and to pay the same into the county treasury

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schuster,
Alexander,	Goodling,	McCann,	Schwartz,
Amarando,	Gramlich,	McCormack,	Scott,
Andrews,	Greenwood,	McCullough,	Seyler,
Ashton,	Guss,	McDermit,	Shoemaker,
Auker,	Gutendorf,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Boory,	Hersch,	Monroe,	Stoner,
Bower,	Hewitt,	Moody,	Strausser,
Breisch,	Hocker,	Moore,	Sucher,
Breth,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Naugle,	Varallo,
Clapper,	Kamyk,	Needham,	Varner,
Cochran,	Keller,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Connelly,	Kerlin,	Parlante,	Wallace,
Conner,	Kline,	Peifly,	Walsh
Coyle,	Kohl,	Peta,	Wargo,
Curwood,	Kolankiewicz,	Petrosky,	Waterhouse,
Davis,	Kornick,	Pfaff,	Weidner,
Dougherty,	Kratz,	Phillips,	Welsh,
Down,	Kromer,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yeakel,
Fleischman,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C., Speaker
Gleason,	Mathews,		

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE BILLS MADE SPECIAL ORDER

STATE GOVERNMENT AND REORGANIZATION ON BILLS

Mr. JOHNSON. Mr. Speaker, I move that Senate Bills Reorganizing the State Government on today's calendar, June 9, 1953, be made a special order of business for third reading and final passage, on Wednesday, June 10 at 7:30 P. M., EST, in the following order:

Senate Bill No. 327, Printer's No. 59
Senate Bill No. 341, Printer's No. 58.
Senate Bill No. 329, Printer's No. 46.
Senate Bill No. 336, Printer's No. 53.
Senate Bill No. 338, Printer's No. 55.
Senate Bill No. 410, Printer's No. 129.
Senate Bill No. 416, Printer's No. 135.
Senate Bill No. 412, Printer's No. 131.
Senate Bill No. 411, Printer's No. 130.
Senate Bill No. 518, Printer's No. 187.
Senate Bill No. 521, Printer's No. 190.
Senate Bill No. 520, Printer's No. 189.
Senate Bill No. 519, Printer's No. 188.
Senate Bill No. 522, Printer's No. 191.
Senate Bill No. 408, Printer's No. 127.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. WILT from the Committee on Judiciary, reported as committed, House Bill No. 1205, entitled:

An Act pertaining to the resignation and retirement of judges under certain conditions; fixing their compensation upon resignation or retirement and imposing duties on certain State officers.

Mr. WILT from the Committee on Judiciary, reported as committed, House Bill No. 1401, entitled:

An Act authorizing corporations to grant stock, options, pensions and allowances under certain circumstances, and validating stock options, pensions and allowances heretofore granted.

COMMITTEE MEETINGS

Aeronautics—Mr. Greenwood, Chairman, Room 331, Wednesday, June 10, at 11:30 a. m. DST.

Elections and Apportionment—Mr. Weidner, Chairman, Room 329, Wednesday, June 10, at 10:30 a. m. DST.

Liquor Control—Mr. Price, Chairman, Room 325, Wednesday, June 10, at 11:00 a. m. DST.

Public Health and Sanitation—Mr. Frost, Chairman, Room 522, Wednesday, June 10, at 10:00 a. m. DST.

Townships—Mr. Reagan, Chairman, Room 522, Wednesday, June 10, at 11:30 a. m. DST.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. ANDREWS. I was unable to hear whether or not a meeting of the Committee on Railroads was scheduled for tomorrow.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester, Mr. Leisey.

Mr. LEISEY. I yield to Mr. Johnson.

The SPEAKER pro tempore. Mr. Leisey yields to the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, I would like to say that Mr. Leisey left the notice for his Committee meeting here under the glass and the Majority Whip did not find it. I am sorry. The meeting has been called.

The SPEAKER pro tempore. The Clerk will read the anouncement concerning the meeting of the Committee on Railroads.

COMMITTEE MEETING

Railroads and Railways—Mr. Leisey, Chairman, Room 325, Wednesday, 11:30 a. m. DST.

The SPEAKER (Charles C. Smith) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Berks, Mr. Readinger, for presiding during a very tedious session today.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess until 7:00 o'clock, EST. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Charles C. Smith) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 38.

An Act to further amend Section 12 of the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 758) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" by changing the penalties for the illegal possession sale dispensing or giving away of drugs.

HOUSE BILL No. 156.

An Act to further amend clause (b) of section 4 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entited "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by providing that where the Commonwealth assigns to a third party any lien or obligation secured for repayment of public assistance the assignee can collect thereon only the amount he paid to the Commonwealth.

HOUSE BILL No. 292.

An Act to amend Section 1515 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring regular courses of instruction in constitutional law and government in public private and parochial school.

HOUSE BILL No. 970.

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing salaries for members of zoning board of adjustment.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 42.

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting additional organizations and corporations and national service clubs raising funds for child welfare projects from the provisions of the act

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 5, by striking out after the word "by" the words "providing for payment of costs in addition to compensation of solicitors and."

Amend Section 1, page 2, line 1, by striking out after the word and figure "Section 1" the word "The" and inserting in lieu thereof the words "Sections 11 of the"; line 5 by striking out after the part-word "poses" " the following: "is hereby amended by adding after Section 4 thereof a new section to read as follows

"Section 4.1 Any solicitor or collector shall be entitled to receive reimbursement of the cost of collection expended by him in addition to the commission percentage of collection bonus or compensation for collection allowed by this act such costs shall not be included in any computation made for any purpose of commission bonus or other compensation agreed to be paid or paid to or accepted or received by and individual corporation copartnership or association for his or its services

"Section 2 Section 11 of said act"

Page 3, line 8, by inserting after the word "clubs" the following "or local associations."

On the question,

Will the House concur in the amendments made by the Senate?

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schuster,
Alexander,	Goodling,	McCann,	Schwartz,
Amarando,	Gramlich,	McCormack,	Scott,
Andrews,	Greenwood,	McCullough,	Seyler,
Ashton,	Guss,	McDermit,	Shoemaker,
Auker,	Gutendorf,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Boory,	Hersch,	Monroe,	Stoner,
Bower,	Hewitt,	Moody,	Strausser,
Breisch,	Hocker,	Moore,	Sucher,
Breth,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Naugle,	Varallo,
Clapper,	Kamyk,	Needham,	Varner,
Cochran,	Keller,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Connelly,	Kerlin,	Parlante,	Wallace,
Conner,	Kline,	Peifly,	Walsh,
Coyle,	Kohl,	Peta,	Wargo,
Curwood,	Kolankiewicz,	Petrosky,	Waterhouse,
Davis,	Kornick,	Pfaff,	Weidner,
Dougherty,	Kratz,	Phillips,	Welsh,
Down,	Kromer,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,
DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yeakel,
Fleischman,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson	Markley,	Schmidt,	Smith, C. C.,
Gleason,	Mathews,		Speaker

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 779.

An Act to further amend the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties" by extending the period for application for limited examination and to transfer from the jurisdiction of the State Board of Medical Education and Licensure Extending time for practice unless licensed and registered providing for licensure of non-resident practitioners providing for licensing of graduates of unincorporated schools of chiropractic removing requirement to mail registration renewal applications

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 4 and 5 by striking out after the word "licensure" the following words: "extending time for practice unless licensed and registered."

Amend Section 3, page 7, lines 1 to 11, by inserting after the figure "3" the following:

"Section 12 of the act is hereby amended to read as follows

"Section 12 Unlawful to practice unless licensed and registered It shall be unlawful for any person after the first day of July [one thousand nine hundred fifty-two] one thousand nine hundred fifty-four to operate or practice as a chiropractor unless he or she shall hold a license as provided by this act and unless such person is registered for the then current license year after the year in which he is first licensed

Section 4.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Bucchin,	Jim,	Moscrip,	Thompson,
Buchanan,	Johnson,	Muldowney,	Toll,
Bullen,	Jones, Geo. E.,	Munley,	Tompkins,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Clapper,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Wall,
Connelly,	Kent,	Olsen,	Wallace,
Conner,	Kerlin,	Parlante,	Walsh
Coyle,	Kline,	Peifly,	Wargo,
Curwood,	Kohl,	Peta,	Waterhouse,
Davis,	Kolankiewicz,	Petrosky,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,

Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson,	Mahan,	Sarraf,	Smith, C. C., Speaker
	Markley,	Schmidt,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 548.

An Act to amend the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use ceretain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by increasing the annual license fees on milk dealers

Whereupon the SPEAKER ,in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, the task force reports of the Chesterman Committee should be made available to the Members of the House. This represents a great deal of detailed information on State Government.

This information can be made available to the public through their elected representatives.

Therefore I suggest that these task force reports be printed and two copies be made available to each Legislator.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 27, as follows:

An Act to amend section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by extending the time within which certain appeals may be taken and providing that such appeals may be taken to the court of common pleas of the county in which the aggrieved person resides

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 2 Secretary to Administer Act Appeal to Court

(a) The secretary shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration

(b) Any person aggrieved by an order or act of the secretary under the provisions of section four to eleven of this act may within [ten] thirty days after notice thereof file a petition in the court of common pleas of [Dauphin County] the county in which the aggrieved person resides for a trial de novo to determine whether such order or act is lawful and reasonable The filing of such a petition shall not suspend the order or act of the secretary unless a stay thereof shall be allowed by a judge of said court pending final determination of the matter The court shall summarily hear the petition and may make any appropriate order or decree

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Bucchin,	Jim,	Moscrip,	Thompson,
Buchanan,	Johnson,	Muldowney,	Toll,
Bullen,	Jones, Geo. E.,	Munley,	Tompkins,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Clapper,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Wall,
Connelly,	Kent,	Olsen,	Wallace,
Conner,	Kerlin,	Parlante,	Walsh,
Coyle,	Kline,	Peifly,	Wargo,
Curwood,	Kohl,	Peta,	Waterhouse,
Davis,	Kolankiewicz,	Petrosky,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson	Mahan,	Sarraf,	Smith, C. C., Speaker
	Markley,	Schmidt,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 135, Printer's No. 304,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 151, as follows:

An Act providing for the establishment of police pension funds or pension annuities in boroughs towns and townships and the regulation and maintenace thereof providing for continuance of existing funds or transfer thereof to funds herein established prescribing rights of beneficiaries and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Each borough town and township of this Commonwealth maintaining a police force shall establish by ordinance a police pension fund or pension annuity to be maintained by a equal and proportionate monthly charge against each member of the police force which shall not exceed annually three per centum of the pay of such member by annual appropriations made by the borough town or township by payments made by the State Treasurer to the municipal treasurer from the monies received from taxes paid upon premiums by foreign-casualty insurance companies for purposes of pension retirement or disability benefits for policemen and by gifts grants devices or bequests granted to the pension fund pursuant to section two of this act Such fund shall be under the direction of the governing body of the borough town or township or committed to the direction of such committee as may be designated by such governing body and applied under such regulations as such governing body may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such pension allowances as shall be made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

The annual appropriation made by the borough town or township each year shall be sufficient when added to the contributions made by members of the police force during such year payments made by the State Treasurer to the municipal treasurer from the moneys received from taxes paid upon premiums by foreign-casualty insurance companies for purposes of pension retirement or disability benefits for policemen and income from investments trust funds or other lawful enterprises together with any other monies paid into such police pension fund according to existing law and practices to pay in full the pensions payable during such year

Section 2 It shall be competent for any borough town or township police pension fund to take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such fund and the care management investment and disposal of such trust funds or property shall be vested in the person or persons having the management of such police pension fund and the said trust funds shall be governed thereby subject to such directions not inconsistent therewith as the donors of such funds and property may prescribe

Section 3 Each ordinance establishing a police pension fund shall prescribe a minimum period of total service not less than twenty years and a minimum age of fifty years after which members of the force may be retired from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they may be finally discharged by reason of age or disability

Section 4 Any member of the police force employed by a borough town or township who has been a regularly appointed employe of any such political subdivision for a period of at least six months and who thereafter shall heretofore or hereafter be inducted into the military service of the United States in time of war or national emergency so proclaimed by the President of the United States shall have credited to his employment record for pension or retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency if such person returns or has heretofore returned to his employment within six months after his separation from the service

Section 5 Payments made under the provisions of this act shall not be a charge on any other fund in the treasury of any borough town or township or under its control save the police pension fund herein provided for The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case be less than one-half the highest pay of such member during any period of twelve

months within the last sixty months of employment computed at such monthly rate

Section 6 (a) Where there is an existing pension fund managed by a private organization or association for the members of the police force in any borough town or township on the effective date of this act such fund shall continue as constituted only upon the following terms and conditions

(1) The amount paid in pensions to each beneficiary under the established fund shall be in excess of any amount so payable from the fund established pursuant to this act and

(2) If the borough town or township in which such an established fund exists undertakes to annually appropriate sufficient monies to compensate the existing fund for any deficit in the amount of money needed to pay pension obligations during any calendar year and

(3) If not over two-thirds of the beneficiaries and dues-paying membership of the existing organization or association vote to transfer its funds into a pension fund established by a borough town or township pursuant to this act

(b) In any instance where an existing fund is transferred to a fund established by a political subdivision pursuant to the provisions of this act all the assets and liabilities of such existing fund shall be so transferred Such transfer may be made by the transfer of securities After such transfer the borough town or township police pension fund shall assume the liability of continuing the payment of pensions to members of the police force retired prior to such transfer in accordance with the laws and regulations under which such members were retired

Section 7 No person participating in a police pension fund established pursuant to the provisions of this act and becoming entitled to receive a benefit therefrom shall be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto

Section 8 Any member of a police force of a borough town or township who for any reason whatsoever shall be ineligible to receive a pension after having contributed any charges to a police pension fund established pursuant to the provisions of this act or to a police pension fund existing on the effective date of this act supplanted by a police pension fund established pursuant to the provisions of this act shall be entitled to a refund of all such monies paid by him into such funds immediately upon discontainuance of his employment with the police force

Section 9 The pension payments herein provided for shall not be subject to attachment execution levy garnishment or other legal process and shall be payable only to the beneficiary designated by this act and shall not be subject to assignment or transfer

Section 10 Subject to the provisions of section 6 of this act the following acts and parts of acts are hereby repealed as particularly set forth

Section 1131 to 1137 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" and their reenactments and amendments absolutely

Section 1409 to 1415 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" and their reenactments and amendments absolutely

Section 595 to 599 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" and their reenactments and amendments absolutely

The act approved the second day of May one thousand nine hundred forty-nine (P. L. 872) entitled "An act granting credit toward pension or reitrement benefits of certain members of the police force employed by political subdivisions for time spent in the military service of the United States" in so far as it relates to boroughs towns and townships

The act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1488) entitled "An act relating to police pension funds in boroughs towns and townships and authorizing such political subdivisions to appropriate monies thereto" absolutely

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adam,	Gramlich,	McCann,	Schwartz,
Alexander,	Greenwood,	McCormack,	Scott,
Amarando,	Guss,	McCullough,	Seyler,
Andrews,	Gutendorf,	McDermit,	Shoemaker,
Auker,	Guthrie,	McGee,	Shotwell,
Banker,	Hall,	McInroy,	Smith, W. B.,
Barkdoll,	Hamilton, R. K.,	McWherter,	Snider,
Baumunk,	Hamilton, W. H.,	Metz,	Spencer,
Bazin,	Harris,	Mihm,	Stank,
Bear,	Haudenshield,	Mikula,	Stevenson,
Blair,	Helm,	Miller,	Stimmel,
Boory,	Hersch,	Mills,	Stone,
Bower,	Hewitt,	Monroe,	Stoner,
Breisch,	Hocker,	Moody,	Strausser,
Breth,	Jenkins,	Moore,	Sucher,
Brown,	Jim,	Moran,	Taylor,
Bucchin,	Johnson,	Moscrip,	Thomas,
Buchanan,	Jones, Geo. E.,	Muldowney,	Thompson,
Bullen,	Jones, Gran'le E.	Munley,	Toll,
Capano,	Jones, Paul F.,	Murray, J. J.,	Tompkins,
Cianfrani,	Jones, T. H. W.,	Murray, P. G.,	Toomey,
Cioffi,	Jump,	Musto,	VanSant,
Clapper,	Kamyk,	Naugle,	Varallo,
Cochran,	Keller,	Needham,	Varner,
Comer,	Kent,	Ogilvie,	Vaughan,
Connelly,	Kerlin,	Olsen,	Wall,
Conner,	Kline,	Parlante,	Wallace,
Coyle,	Kohl,	Peifly,	Walsh
Curwood,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Down,	Kratz,	Pfaff,	Weidner,
Downey,	Kromer,	Phillips,	Welsh,
Dunn,	Kubacki,	Polaski,	Wescott,
Erb,	Lafore,	Polen,	Whalley,
Ewing,	Lederer,	Poltenstein,	Wheeler,
Farabaugh,	Leisey,	Price,	White,
Fenrich,	Leonard,	Quisenberry,	Whitenight,
Ferster,	Leven,	Ragot,	Willaredt,
Filo,	Light,	Readinger,	Williams,
Flack,	Limper,	Reagan,	Wilt,
Fleischman,	Lippincott,	Reidenbach,	Wood,
Flynn,	Lopresti,	Richter,	Worley,
Frost,	Lutty,	Rosen,	Yetzer,
Geer,	Maguire,	Rovansek,	Yeakel,
Gibson,	Mahan,	Royer,	Young,
Gleason,	Markley,	Rubin,	Zeitz,
Glick,	Mathews,	Sarraf,	Ziegler,
Goodling,	Maxwell,	Schmidt,	Smith, C. C.,
		Schuster,	Speaker

NAYS—5

Ashton,	Davis,	DuBois,	Lovett,
Bolton,			

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 155, as follows:

An Act to further amend Slause (f) of Section 448 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the membership of the Advisory Health Board to include one doctor of osteopathy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (f) of Section 448 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1340) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health or in his place his duly authorized deputy and [ten] eleven members five of whom shall be doctors of medicine licensed to practice medicine in Pennsylvania one a dentist licensed to practice dentistry in Pennsylvania one a doctor of osteopathy licensed to practice osteopathy in Pennsylvania one a pharmacist registered with the State Board of Pharmacy and one an engineer registered with the State Registration Board for Professional Engineers who is experienced in sanitary engineering The Secretary of Health or in his place his duly authorized deputy shall be chairman of the board

The term of office of each appointed member of the board shall be four years measured from the third Tuesday of January of the year in which he takes office or until his successor has been appointed and has qualified except that in the initial appointment of the members of the board one member shall be appointed for a term of one year three members for a term of two years three members for a term of three years and three members for a term of four years

Six members of the board together with the Secretary of Health or in his place his duly authorized deputy shall constitute a quorum

Each appointed member of the board shall receive actual traveling expenses and per diem compensation at the rate of $25.00 a day for time actually devoted to the business of the board

* * * * *

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. KOLANKIEWICZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "osteopathy" and one doctor of optometry.

Amend Sec. 1 (Sec. 448), page 4, line 3, by striking out "eleven" and inserting in lieu thereof "twelve."

Amend Sec. 1 (Sec. 448), page 4, line 7, by inserting after "Pennsylvania" one a doctor of optometry licensed to practice optometry in Pennsylvania.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. SARRAF. Mr. Speaker, I am sure everybody understands this bill. It is very brief and all that it apparently does is to include an osteopath on the Advisory Board.

Everyone of you have received information from the Medical Society relative to this measure and this appointment of an osteopath on the Advisory Board. We in the last legislative Session mandated the Department of Health and set up regulations for a sweeping organization of the entire health department.

Along with that is a bill evidently in the process of third reading now which coordinates the various departments, health, welfare and others. The work of this department and this board is extremely important. At the present time there are several members comprising this board. There are medical men, there are pharmacists, thre are several laymen.

If we were to represent or have represented on this board all the various branches of the healing arts, we would probably have on this board maybe 25 different groups who are already present on that board.

In all fairness to the optometrist and the medical profession, the attempt was made to amend the bill and have them inserted on this board.

Nurses have their own board and have an opportunity and have the right probably to be on this board. Others of the profession should probably have the right in all fairness to be on this board which has to do with your health, my health and the health of your children and that of the state.

This board now is hamstrung. I do not want to present the fact that if you place an osteopath on the board, he is going to upset the board in any great degree, but I do think if we let the board alone and not begin to add and add to this board, we will get better functioning in our Health Department, better advice, as they are an advisory

board. Since health, as you know, depends mostly on medical men and is represented by four or five medical men, I am sure that everyone in here knows that there is a difference beteen the healing branches and the healing arts, wherein osteopaths have an idea of cure, chiropractors, and others in the healing profession. Nobody is degrading in any manner a profession that is recognized like osteopathy.

This board has been set up by a mandate of your own. To add to this board is not going to make it function any better. If it is just an act to have a group recognized, I think in all fairness then, and I would go along with you, let us put everybody in the various respective professions on that board and make a great big board out of the thing and represent every branch of the healing art plus laymen and others.

I think everyone should think seriously. This is not a party measure; this is a health measure. You have been informed by the medical group, with due respect to the osteopaths, with due respect to all the other professions, I honestly think that the best we could do here is to vote down this bill and leave this advisory board as it is to function properly for your health and my health in this state.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Sarraf.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SARRAF. Well in this case, let's be fair.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he is for this bill or against the bill.

Mr. SARRAF. Mr. Speaker, I am against this bill.

Mr. LOVETT. Thank you, Mr. Speaker.

Mr. SARRAF. Mr. Speaker, I demand that we be fair. I spoke for two minutes and said nothing, but I am against this bill.

Mr. YOUNG. Mr. Speaker, I do not want the membership to think that I sponsor all osteopathic measures just because they are handed to me. I would like the membership to know that my home at Grove City, that is G-r-o-v-e; not G-r-a-ve. Although it is very dead, it is still called Grove City and it is practically the home of osteopathy in Pennsylvania. There have been osteopaths there since 1906.

I had an appendectomy in that hospital in Grove City. My only child was born there. I was hospitalized there with a skull fracture and they buy a great deal of printing from me.

I want you to know that this is an advisory council. It is not a law-making body. It is merely an advisory council. It is presided over by the Secretary of Health who is a medical doctor. It has five medical doctors on the Board. It has one pharmacist, one sanitary engineer, two laymen. Now there are six medical doctors represented on this board. How can one poor little lonely osteopath possibly upset the routine that they have laid out for themselves? I cannot agree with the gentleman from Allegheny at all.

At the last Session we amended the laws of the state so that osteopaths could commit mental cases to mental hospitals. Osteopaths can now conduct school examinations. As a matter of fact, in the gentleman's own words, I think it was two years ago he said, and I quote—this is from the Legislative Journal, Volume 31, No. 29, page 1451:

> The osteopaths today have a marvelous school. They are broadened. They have gone into surgery. They are respected and have an admirable position in medicine in this state of ours.

I do not think there should be this eternal controversy between the medical profession and the osteopaths. If you will recall back some years ago, the allopaths and the homeopaths had the same trouble. They denounced each other and did not speak, but they finally go together. Now both these professions have their fields of endeavor; both are endeavoring to help the people of this Commonwealth, to cure them, to return them to health. I do not see why there should be this eternal quibbling. I think they should get together and recognize that both professions have their place in this field.

I ask the membership to vote for the bill.

Mr. SARRAF. Mr. Speaker, I realize that that quote has been used on several occasions. I said that before. say it again. But as I have tried to point out, I do not care to discredit any profession. If any of you sitting on this side or that side were to read the definition of an osteopath and were to check into the first laws passed, you would find that the osteopath and the chiropractor in 1911 were from the same school, and then after that time the Legislature, which did the same thing for medicos, blanketed everybody in.

Their theory has been disregarded entirely. They are today, as I said before in the remarks you read, gradually and progressively—like you stated the homeopaths were a group—they have been not absorbed, but they have grouped themselves again with the medical profession because of continually raising their standards.

With the osteopaths, I tell you today that within a few years when the older men who call themselves osteopaths do away with that cloak, you will find that they will bring the standards up probably to where they will be called medical doctors, not probably through any legislative process, but through schooling and teaching.

When they get to a point where they are on a par with your medical men there will be no debate. This has been no inference as to their ability.

I hope I have made myself clear. There is no bone to pick. There is no debate between the medical profession and the profession of osteopathy.

I voted for the optometry amendment. I will vote for a nurses' amendment. I will vote for every amendment to recognize every group on this board if you think it will function better. My argument is that the board you have mandated today will do better work in advising your Health Department than by the addition of more and more and more to recognize their ability and place upon this board.

Mr. RAGOT. Mr. Speaker, let me state for Dr. Sarraf and his profession, the medical profession, the reasons I am going to vote for the bill.

When my father was approximately fifty years of age, he came down with double pneumonia and pleurisy. For thirty years he had a rheumatic heart and for that reason was unable to take internal medicine which would help his pleurisy and pneumonia. He had an osteopath who took care of him practically day and night, worked

on him. He saved his life and he lived 22 years after that. I cannot possibly turn down the osteopaths.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Dr. Sarraf.

The SPEAKER. Will the gentleman from Allegheny, Mr. Sarraf, permit himself to be interrogated?

Mr. SARRAF. Mr. Speaker, I shall.

Mr. MAXWELL. Mr. Speaker, is there a dentist on this board?

Mr. SARRAF. No, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, a dentist has something to do with the healing arts, has he not?

Mr. SARRAF. Mr. Speaker, there is no doubt about that.

Mr. MAXWELL. Mr. Speaker, do they have a veterinarian on this board?

Mr. SARRAF. Mr. Speaker, no.

Mr. MAXWELL. Mr. Speaker, they do not. Do they have a plumber on this board.

Mr. SARRAF. Mr. Speaker, I think they ought to have one on it. The answer is no. They have a sanitary engineer.

Mr. MAXWELL. Mr. Speaker, the answer is no. You will agree that a plumber does have something to do with the health and welfare of the citizens and helps with the sanitary conditions?

Mr. SARRAF. Mr. Speaker, yes if you use it as a terra cotta pipe or whatever you call it, or as a concrete pipe.

Mr. MAXWELL. Mr. Speaker, do they have a chiropodist on this board?

Mr. SARRAF. Mr. Speaker, no.

Mr. MAXWELL. Mr. Speaker, do they have a manicurist?

Mr. SARRAF. Mr. Speaker, the sanitary inspector might come under that, I do not know.

Mr. MAXWELL. Mr. Speaker, in view of the fact that none of these other professions are represented on this board, and if the gentleman who has this bill does not agree to taking all these representatives of the healing profession and all the people who have to do with the health and welfare of this Commonwealth, if he does not want all those people on the board, I see no reason to put an osteopath on the board. Therefore, I will suggest that we either put everybody on it or vote this bill down.

Mr. YOUNG. Mr. Speaker, I know that my remarks are going to cause some red faces here. I believe the gentleman from Westmoreland, Doctor Maxwell—is he a dentist? Well, there is a dentist on the board, much to the amazement of those two gentleman. There is a dentist on the board.

The SPEAKER. Does the gentleman from Allegheny desire to interrogate the gentleman from Mercer?

Mr. SARRAF. If the gentleman will yield, I will gladly answer that last remark.

The SPEAKER. Will the gentleman from Mercer yield to the gentleman from Allegheny?

Mr. YOUNG. Yes, Mr. Speaker.

Mr. SARRAF. There is a dentist on the board, but repeating what I said before, and leaving the hiliarity out, this is a serious bill. I stated before—and I am only going to repeat, and then I am through—this Advisory Board has been chosen by you, designated and given mandated authority to operate.

If you were to put a good recognized osteopath, a good professional man, with due respect to his ability on the board, that would be ideal, and if you put more on, that would be ideal if you think that would make this board function for betterment in advising your Health Department of our state.

Mr. YOUNG. Mr. Speaker, I promised the gentleman from Philadelphia, Doctor Kolankiewicz, that I would not rise in opposition to his amendment, which I did not. However, I have put no optometrists on the board, or any of the other recognized professions. I do believe they should come in with a separate bill and let the membership judge the measure on their own merits and not clutter up the bill with all of the recognized professions. Let them come in one at a time. That is all I have to say.

Mr. KOLANKIEWICZ. Mr. Speaker, I disagree with the gentleman's saying that optometry should introduce a separate bill. I believe that in this House whenever a bill is introduced and we know that some other group can attach themselves to that bill, like optometry, which is a recognized profession in our state throughout the Commonwealth—it has been recognized by all our agencies in our Commonwealth—and we know it is recognized by better vision institutes throughout the country, and that 70 percent of the examinations performed are by optometrists.

We know that the Department of Public Assistance accepts certificates and certifications as to blind pensions and we also know that the Motor Vehicle Department depends on the visual acuity and accepts certificates as to the eyes of drivers who are permitted to take a driver's permit.

We also know that the Army and Navy, the armed forces and the Air Force accept and confer commissions upon optometrists. I know that most of you are being taken care of by optometrists. Why you vote this amendment down is beyond me. I think it is no more than fair that when any Member of the House sees a group of people where he can better a Committee or an Advisory Board, he is certainly entitled to attach an amendment to that bill.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair is unable to decide.

Whereupon, A division was had, eighty Members voting in the affirmative and ninety-one in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Andrews,	Goodling,	McWherter,	Spencer,
Auker,	Gramlich,	Metz,	Stevenson,
Banker,	Guss,	Mikula,	Stimmel,
Barkdoll,	Gutendorf,	Miller,	Stone,
Baumunk,	Guthrie,	Moody,	Stoner,
Bear,	Hall,	Moore,	Strausser,
Blair,	Hamilton, W. H.,	Moscrip,	Sucher,
Bolton,	Haudenshield,	Naugle,	Toomey,
Bower,	Helm,	Ogilvie,	VanSant,
Breisch,	Hocker,	Peifly,	Vaughan,
Buchanan,	Johnson,	Quisenberry,	Waterhouse,
Clapper,	Jump,	Ragot,	Weidner,

Connelly,	Keller,	Readinger,	Wescott,
DuBois,	Kent,	Reagan,	Whalley,
Dunn,	Kerlin,	Reidenbach,	Willaredt,
Ewing,	Kohl,	Richter,	Wilt,
Farabaugh,	Lafore,	Rosen,	Wood,
Ferster,	Leisey,	Royer,	Yeakel,
Flack,	Light,	Rubin,	Young,
Fleischman,	Lippincott,	Schmidt,	Zeitz,
Frost,	Markley,	Scott,	Ziegler,
Geer,	Mathews,	Shoemaker,	Smith, O. C., Speaker
Gibson,	McCullough,	Shotwell,	
Gleason,	McInroy,		

NAYS—91

Alexander,	Hamilton, R. K.,	McCann,	Poltenstein,
Ashton,	Hersch,	McCormack,	Rovansek,
Bazin,	Hewitt,	McDermit,	Sarraf,
Boory,	Jenkins,	McGee,	Schuster,
Breth,	Jim,	Mihm,	Schwartz,
Brown,	Jones, Geo. E.,	Mills,	Smith, W. B.,
Bucchin,	Jones, Gran'le E.,	Monroe,	Snider,
Bullen,	Jones, Paul F.,	Moran,	Stank,
Capano,	Kamyk,	Muldowney,	Taylor,
Cioffi,	Kolankiewicz,	Munley,	Thomas,
Cochran,	Kornick,	Murray, J. J.,	Thompson,
Comer,	Kromer,	Murray, P. G.,	Toll,
Conner,	Kubacki,	Musto,	Tompkins,
Coyle,	Lederer,	Needham,	Varallo,
Curwood,	Leonard,	Olsen,	Wall,
Davis,	Leven,	Parlante,	Walsh,
Dougherty,	Limper,	Peta,	Wargo,
Downey,	Lopresti,	Petrosky,	Welsh,
Erb,	Lovett,	Pfaff,	Wheeler,
Fenrich,	Lutty,	Phillips,	White,
Filo,	Maguire,	Polaski,	Whitenight,
Flynn,	Mahan,	Polen,	Williams,
Glick,	Maxwell,		Worley,

NOT VOTING—13

Adam,	Down,	Jones, T. H. W.,	Varner,
Amarando,	Floyd,	Kline,	Verona,
Boies,	Greenwood,	Kratz,	Wallace,
Bomberger,	Harris,	Pettigrew,	Watkins,
Cianfrani,	Hoggard,	Price,	Yetzer,
Cooper,	Ide,	Seyler,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. LOVETT. Mr. Speaker ——

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Lovett. For what purpose does the gentleman rise?

Mr. LOVETT. To request that the bills now being acted upon—if we are going into a Committee meeting, I do not think we should act on these bills.

The SPEAKER. For the information of the gentleman, if there are any controversial bills, the Chair will gladly pass them over until the Committee returns.

Mr. LOVETT. On whose judgment are they controversial?

The SPEAKER. On any Members. I will trust the gentleman from Westmoreland.

Mr. LOVETT. I will accept the Chair's judgment.

The SPEAKER. The Chair thanks the gentleman.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162, as follows:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the withrawing of deceased candidate's name by the county board of elections in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding after Section 917 a new section to read as follows

Section 917.1 Manner of Withdrawing Name of Deceased Candidate Where a nomination petition has been duly filed for any primary under the provisions of this article and thereafter the candidate named in said petition dies the county board of election shall on demand by affidavit of three interested electors and on filing of copy of deceased candidate's death certificate withdraw the deceased candidate's name at anytime prior to the printing of the ballots or ballot labels

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schuster,
Alexander,	Goodling,	McCann,	Schwartz,
Amarando,	Gramlich,	McCormack,	Scott,
Andrews,	Greenwood,	McCullough,	Seyler,
Ashton,	Guss,	McDermit,	Shoemaker,
Auker,	Gutendorf,	McGee,	Shotwell,
Banker,	Guthrie,	McInroy,	Smith, W. B.,
Barkdoll,	Hall,	McWherter,	Snider,
Baumunk,	Hamilton, R. K.,	Metz,	Spencer,
Bazin,	Hamilton, W. H.,	Mihm,	Stank,
Bear,	Harris,	Mikula,	Stevenson,
Blair,	Haudenshield,	Miller,	Stimmel,
Bolton,	Helm,	Mills,	Stone,
Boory,	Hersch,	Monroe,	Stoner,
Bower,	Hewitt,	Moody,	Strausser,
Breisch,	Hocker,	Moore,	Sucher,
Breth,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Naugle,	Varallo,
Clapper,	Kamyk,	Needham,	Varner,
Cochran,	Keller,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Connelly,	Kerlin,	Parlante,	Wallace,
Conner,	Kline,	Petifiy,	Walsh,
Coyle,	Kohl,	Peta,	Wargo,
Curwood,	Kolankiewicz,	Petrosky,	Waterhouse,
Davis,	Kornick,	Pfaff,	Weidner,
Dougherty,	Kratz,	Phillips,	Welsh,
Down,	Kromer,	Polaski,	Wescott,
Downey,	Kubacki,	Polen,	Whalley,

DuBois,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yeakel,
Fleischman,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson.	Markley,	Schmidt,	Smith, C. C.,
Gleason,	Mathews,		Speaker

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 223, as follows:

An Act to further amend Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections and nomination of candicates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by increasing the minimum compensation payable to election officers in third to eighth class counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 412 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to election" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1698) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(b) In counties of the third fourth fifth sixth seventh and eighth classes the compensation of judges inspectors clerks and machine inspectors in districts using voting machines shall be fixed by the county board of election of the county at not less than the following judges of elections [seven dollars fiftv cents ($7.50)] ten dollars ($10) inspectors and clerks [six dollars ($6)] eight dollars ($8) and machine operators [five dollars ($5)] six dollars ($6) and not more than the following judges of election twenty dollars ($20) inspectors and clerks seventeen dollars fifty cents ($17.50) and machine operators fifteen dollars ($15) for each primary and election In districts using voting machines the county board of elections may in its discretion establish different per diem rates within the above mentioned minima and maxima based on the number of votes cast for the following groups 150 votes or less 151 to 500 votes 501 to 1000 votes over 1000 votes In every election district using paper ballots in such counties the compensation of judges inspectors and clerks shall be fixed by the county board of elections of the county at not less than six dollars ($6) nor more than ten dollars ($10) for each primary and election In any election district using paper ballots in such counties in which more than one hundred votes are cast at any primary or election all such officers and clerks shall each receive additional compensation at the rate of two dollars ($2) for each one hundred votes or fraction thereof cast after the first one hundred votes Provided That in districts using paper ballots no judge of elections shall receive more than twenty-seven dollars fifty cents ($27.50) for any primary or election nor shall any inspector or clerk receive more than twenty-five dollars ($25) for any primary or election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gleason,	Markley,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Bucchin,	Jim,	Moscrip,	Thompson,
Buchanan,	Johnson,	Muldowney,	Toll,
Bullen,	Jones, Geo. E.,	Munley,	Tompkins,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Clapper,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Wall,
Connelly,	Kent,	Olsen,	Wallace,
Conner,	Kerlin,	Parlante,	Walsh
Coyle,	Kohl,	Peifly,	Wargo,
Curwood,	Kolankiewicz,	Peta,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Dougherty,	Kline,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson,	Mahan,	Sarraf,	Smith, C. C.,
	Mathews,	Schmidt,	Speaker

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 301 as follows:

An Act to further amend the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by further regulating registration of persons in military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby further amended by adding after Section 18.1 a new section to read as follows

Section 18.2 Registration of Persons in Military Service Unaffected by Failure to Vote Special Cards (a) The registration of any person in military service shall not be cancelled because of a failure to vote during two colendar years and no notice of cancellation nor form for a request for reinstatement shall be sent to any person in military service The commission shall record on such person's registration card every primary and election in which such person submits a military ballot in accordance with the provisions of this act

(b) In every case in which a person who is in military service and who is not registered applies for and is given a military ballot the commission shall fill out as completely as possible special registration card for such person using the information contained in the application for military ballot Such card shall be placed in the general register and shall serve as such person's registration card during the time such person is in military service or until such person makes application for registration under Section 18.1 of this act The commission shall not send a registration card for completion to any person in military service except upon specific request of such peson

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson.
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,	Markley,	Schmidt,	Speaker
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 407 as follows:

An Act to add clause 9 to subsection (b) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection af the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the establishment of speed zones with a sixty miles an hour speed limit

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section 1002 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding at the end thereof a new clause to read as follows

Section 1002 Restrictions as to Speed

* * * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * * *

9 Subject to the provisions of subsection (c) of this section the Secretary of Highways may after due investigation establish certain speed zones with a sixty (60) miles an hour speed limit on State highways outside of business and residence districts where traffic conditions and other conditions of the highway make it safe to operate motor vehicles at the maximum speed provided by this clause

Any such established speed zone shall be indicated by the erection of official signs spaced not less than one-eighth of a mile apart on the right hand side of the highway facing the traffic to be controlled and at the end of the speed zone shall be an official sign indicating the end of such speed zone

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adam,	Glick,	Maxwell,	Sarraf,
Alexander,	Gramlich,	McCann,	Schmidt,
Amarando,	Greenwood,	McCormack,	Schuster,
Andrews,	Guss,	McDermit,	Schwartz,
Auker,	Gutendorf,	McGee,	Scott,
Banker,	Guthrie,	McInroy,	Seyler,
Baumunk,	Hall,	McWherter,	Shoemaker,
Bazin,	Hamilton, W. H.,	Metz,	Shotwell,
Blair,	Harris,	Mihm,	Snider,
Bolton,	Haudenshield,	Mikula,	Spencer,
Boory,	Helm,	Miller,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Monroe,	Stone,
Breth,	Hocker,	Moody,	Stoner,
Bucchin,	Jenkins,	Moore,	Strausser,
Buchanan,	Jim,	Moscrip,	Sucher,
Bullen,	Johnson,	Muldowney,	Taylor,
Capano,	Jones, Geo. E.,	Munley,	Thomas,
Cianfrani,	Jones, Gran'le E.,	Murray, J. J.,	Thompson,
Cioffi,	Jones, Paul F.,	Musto,	Toll,
Clapper,	Jones, T. H. W.,	Naugle,	Tompkins,
Cochran,	Jump,	Needham,	Toomey,
Comer,	Kamyk,	Ogilvie,	VanSant,
Connelly,	Keller,	Olsen,	Varallo,
Conner,	Kent,	Parlante,	Varner,
Coyle,	Kline,	Peifly,	Vaughan,
Curwood,	Kohl,	Peta,	Wall,
Davis,	Kornick,	Petrosky,	Wallace,
Dougherty,	Kratz,	Pfaff,	Wargo,
Down,	Kromer,	Phillips,	Waterhouse,
Downey,	Kubacki,	Polaski,	Weidner,
DuBois,	Lafore,	Polen,	Welsh,
Dunn,	Lederer,	Poltenstein,	Wescott,
Erb,	Leonard,	Price,	Wheeler,
Ewing,	Leven,	Quisenberry,	Whitenight,
Farabaugh,	Limper,	Ragot,	Willaredt,
Fenrich,	Lippincott,	Readinger,	Williams,
Ferster,	Lopresti,	Reagan,	Wilt,
Flack,	Lovett,	Reidenbach,	Yeakel,
Flynn,	Lutty,	Richter,	Yetzer,
Geer,	Maguire,	Rosen,	Young,
Gibson,	Markley,	Rovansek,	Zeitz,
Gleason,	Mathews,	Royer,	Smith, C. C., Speaker
		Rubin,	

NAYS—25

Ashton,	Goodling,	Mahan,	Walsh,
Barkdoll,	Hamilton, R. K.,	McCullough,	Whalley,
Bear,	Kerlin,	Moran,	White,
Brown,	Kolankiewicz,	Murray, P. G.,	Wood,
Filo,	Leisey,	Smith, W. B.,	Worley,
Fleischman,	Light,	Stevenson,	Ziegler,
Frost,			

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 506 as follows:

An Act to further amend Section 14 of Article IV of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and

for the protection and preservation of property connected therewith" by permitting shot-firers to carry approved electric lamps and futher prescribing his duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of Section 14 of Article IV of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the third day of May one thousand nine hundred forty-three (P. L. 154) is hereby further amended to read as follows

Section 14 * * * *

No shot-firer or any other person shall fire a shot in any working place or at any point in any mine if his safety lamp indicates explosive gas and he shall not be in possession of any other lamp than an approved safety lamp except he may have in addition an [official's electric flash light or flash] electric lamp approved by the Secretary of Mines while performing the duties of a shot-firer The shot-firer shall turn the electric lamp out when making examinations for gas and he shall examine all places for gas and other dangers before and after firing each shot This provision is not intended to prohibit blasting in entries going into the solid coal wherein explosive gas is escaping from the coal conditioned it is carried off rapidly rendered harmles sand diluted below the point of detection on the flame of an approved safety lamp In gaseous mines in which approved safety lamps are used he shall fire no holes unless the entries and rooms which are dry and dusty are so thoroughly wetted as to prevent the existence of any dry dust for a distance of not less than eighty feet from the hole to be fired unless the dust is rendered inert to explosibility by rock dust

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 574, Printer's No. 221,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 643, entitled:

An Act to regulate the business of private detectives investigators and watch guard or patrol agencies and the licensing thereof providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 2, by inserting after the word "thereof" the following: "in each county."

Amend Table of Contents, page 2, line 8, by striking out "Section 12 Procedure"

Amend Table of Contents, page 2, line 9, by striking out the figure "13" and inserting in lieu thereof: "12."

Amend Table of Contents, page 2, line 10, by striking out the figure "14" and inserting in lieu thereof: "13.'

Amend Table of Contents, page 2, line 11, by striking out the figure "15" and inserting in lieu thereof: "14."

Amend Table of Contents, page 2, line 13, by striking out the figure "16" and inserting in lieu thereof: "15."

Amend Table of Contents, page 2, line 14, by striking out the figure "17" and inserting in lieu thereof: "16."

Amend Table of Contents, page 2, line 15, by striking out "18 Department of Justice" and inserting in lieu thereof: "17 District Attorney."

Amend Table of Contents, page 2, line 16, by striking out the figure "19" and inserting in lieu thereof "18."

Amend Table of Contents, page 2, line 17, by striking out all of said line.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Amend Table of Contents, page 2, line 18, by striking out the figure "21" and inserting in lieu thereof: "19."

Amend Table of Contents, page 2, line 19, by striking out the figure "22" and inserting in lieu thereof: "20."

Amend Table of Contents, page 2, line 20, by striking out the figure "23" and inserting in lieu thereof: "21."

Amend Sec. 2, page 5, line 8, by inserting after the word "companies" the following: "nor persons in the exclusive employment of common carriers subject to regulation by the Interstate Commerce Commission or the Public Utility Commission of the Commonwealth of Pennsylvania or investigators in the employment of credit bureaus."

Amend Sec. 3, page 6, line 10, by striking out "from the commissioner"

Amend Sec. 3, page 7, lines 5 and 6, by striking out "from the commissioner"

Amend Sec. 3, page 7, line 11, by inserting after the word "companies" the following: "nor persons in the exclusive employment of common carriers subject to regulation by the Interstate Commerce Commission or the Public Utility Commission of the Commonwealth of Pennsylvania or investigators in the employment of credit bureaus."

Amend Sec. 4, page 8, line 11, by striking out "the commissioner" and inserting in lieu thereof: "the clerk of the court of quarter sessions of the county wherein the principal office of such business is located."

Amend Sec. 4, page 9, line 5, by striking out the word "'commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 4, page 9, line 9, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 4, page 9, line 11, by striking out "commissioner or his authorized representative" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 4, page 9, lines 12 and 13, by striking out "commissioner or his authorized representative" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 4, page 9, line 16, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 4, page 11, line 18, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 5, page 12, line 4, by striking out the words "commissioner" and inserting in lieu thereof: "district attorneys of the various counties."

Amend Sec. 5, page 12, line 10, by striking out the word "commissioner" and inserting in lieu thereof: "district attorney."

Amend Sec. 5, page 12, lines 11 and 12, by striking out "commissioner" and inserting in lieu thereof: "district attorney."

Amend Sec. 5, page 12, line 20, by striking out the word "commissioner" and inserting in lieu thereof: "district attorney."

Amend Sec. 5, page 13, line 1, by striking out "Pennsylvania State Police" and inserting in lieu thereof: "'office of the district attorney."

Amend Sec. 5, page 13, line 2, by striking out the word "commissioner" and inserting in lieu thereof: "district attorney."

Amend Sec. 5, page 13, lines 3 and 4, by striking out "this Commonwealth" and inserting in lieu thereof: "'the county."

Amend Sec. 5, page 13, line 18, by striking out "commissioner or a" and inserting in lieu thereof: "district attorney or his."

Amend Sec. 5, page 13, line 19, by striking out "of the Pennsylvania State Police"

Amend Sec. 5, page 13, line 19, by striking out the word "commissioner" and inserting in lieu thereof: "district attorney."

Amend Sec. 6, page 14, line 5, by striking out the word "commissioner" where it appears the first time and inserting in lieu thereof: "court of quarter sessions or the district attorney."

Amend Sec. 6, page 14, line 5, by striking out the word "commissioner" where it appears the second time and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 14, line 10, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 14, line 14, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 14, line 15, by striking out the word "Commonwealth" and inserting in lieu thereof: "county."

Amend Sec. 6, page 14, line 19, by striking out the word "commissioner" and inserting in lieu thereof: "clerk of the court of quarter sessions."

Amend Sec. 6, page 15, line 3, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 15, line 6, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 15, line 14, by inserting after the word "act" the following: "Provided, That the aggregate liability of the surety for all such damages, shall, in no event, exceed the sum of such bond."

Amend Sec. 6, page 15, line 18, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 16, line 6, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 17, line 1, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 6, page 17, line 6, by striking out the word "commissioner" and inserting in lieu thereof: "clerk of the court of quarter sessions."

Amend Sec. 6, page 18, line 4, by striking out the word "commissioner" and inserting in lieu thereof: "clerk of the court of quarter sessions."

Amend Sec. 6, page 18, lines 7 to 10, by striking out "in a manner" in line 7, all of lines 8, 9 and 10, and inserting in lieu thereof: "by the court of quarter sessions."

Amend Sec. 7, page 18, line 12, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 7, page 19, lines 5 and 6, by striking out "commissioner and after audit by the Auditor General" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 7, page 19, line 7, by striking out the word "commissioner" and inserting in lieu thereof: "county treasurer."

Amend Sec. 8, page 19, line 9, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 8, page 19, line 15, by striking out the word "commissioner" and inserting in lieu thereof: "district attorney."

Amend Sec. 8, page 19, line 16, by inserting after the word "Police" the following: "and the Attorney General."

Amend Sec. 8, page 20, line 3, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 9, page 20, line 12, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 9, page 20, line 13, by striking out the word "him" and inserting in lieu thereof: "such court."

Amend Sec. 9, page 20, line 16, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 9, page 21, line 1, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 10, page 21, line 8, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 10, page 21, lines 10 and 11, by striking

out "commissioner at his office in the city of Harrisburg The commissioner" and inserting in lieu thereof: "court of quarter sessions. A judge of such court."

Amend Sec. 10, page 21, lines 13 and 14, by striking out "or an authorized subordinate of the Pennsylvania State Police."

Amend Sec. 11, page 22, line 2, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 11, page 22, line 3, by striking out the words "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 12, page 22, lines 9 to 15, inclusive, by striking out all of said lines.

Amend Sec. 13, page 22, line 16, by striking out the figure "13" and inserting in lieu thereof: "12."

Amend Sec. 13, page 22, line 17, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 13, page 23, line 1, by striking out "the commissioner" and inserting in lieu thereof: "such court."

Amend Sec. 13, page 23, lines 3 and 4, by striking out "commissioner or Pennsylvania State Police" and inserting in lieu thereof: "court."

Amend Sec. 13, page 23, line 5, by striking out the word "commissioner" and inserting in lieu thereof: "court."

Amend Sec. 13, page 23, line 17, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 14, page 24, line 9, by striking out the figure "14" and inserting in lieu thereof: "13."

Amend Sec. 14, page 25, line 7, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 14, page 26, line 12, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 14, page 26, line 18, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 14, page 27, line 9, by striking out "by the commissioner."

Amend Sec. 14, page 27, lines 11, 12 and 13, by striking out "commissioner by forwarding the same by registered" in line 11 and both lines 12 and 13, and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 14, page 27, lines 14 and 15, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 14, page 27, line 17, by striking out the word "he" and inserting in lieu thereof: "the court."

Amend Sec. 14, page 27, line 18, by striking out the word "he" and inserting in lieu thereof: "it."

Amend Sec. 14, page 27, line 19, by striking out "attorney-general The Commissioner" and inserting in lieu thereof: "district attorney of the county. The quarter sessions court."

Amend Sec. 14, page 28, line 4, by striking out the word "he" and inserting in lieu thereof: "the court."

Amend Sec. 14, page 28, lines 7 and 8, by striking out "attorney-general The commissioner" and inserting in lieu thereof: "district attorney. The quarter sessions court."

Amend Sec. 14, page 28, line 11, by striking out the word "commissioner" and inserting in lieu thereof: "quarter sessions court."

Amend Sec. 15, page 28, line 15, by striking out the figure "15" and inserting in lieu thereof: "14."

Amend Sec. 15, page 29, lines 8 to 12, by striking out "commission or such officer or person in the Pennsylvania" in line 8, all of lines 9, 10 and 11, and the words "commissioner or his authorized representative" in line 12, and inserting in lieu thereof: "courtof quarter sessions, and such court."

Amend Sec. 15, page 29, line 13, by striking out the word "and."

Amend Sec. 15, page 29, line 14, by striking out "Department of Justice" and inserting in lieu thereof: "district attorney."

Amend Sec. 16, page 29, line 17, by striking out the figure "16" and inserting in lieu thereof: "15."

Amend Sec. 16, page 31, line 3, by inserting after the word "law" the following: "nor to persons in the exclusive employment of common carriers subject to regulation by the Interstate Commerce Commission or the Public Utility Commission of the Commonwealth of Pennsylvania nor to investigators in the employment of credit bureaus."

Amend Sec. 17, page 31, line 17, by striking out the figure "17" and inserting in lieu thereof: "16."

Amend Sec. 18, page 34, line 11, by striking out "18 Department of Justice" and inserting in lieu thereof: "17. District Attorneys."

Amend Sec. 18, page 34, lines 12 to 16, by striking out "Department of Justice" in line 12, all of lines 13 to 16, inclusive, and inserting in lieu thereof: "district attorney of the county in which any violation of this act occurred."

Amend Sec. 19, page 34, line 17, by striking out the figure "19" and inserting in lieu thereof: "18."

Amend Sec. 20, page 35, lines 3 to 8, inclusive, by striking out all of said lines.

Amend Sec. 21, page 35, line 9, by striking out the figure "21" and inserting in lieu thereof: "19."

Amend Sec. 21, page 35, line 9, by striking out the word "commissioner" and inserting in lieu thereof: "clerk of each court of quarter sessions."

Amend Sec. 21, page 35, line 11, by inserting after the word "licensed" the following: "by such court."

Amend Sec. 21, page 35, line 12, by striking out "issued by the commissioner" and inserting in lieu thereof: "published by each clerk."

Amend Sec. 21, page 35, line 13, by inserting after the word "charge" the following: "and a copy of each such roster shall also be mailed by him to the commissioner, who shall keep a roster of the names and addresses of all persons, partnerships and corporations in the Commonwealth of Pennsylvania, under the provisions of this act. A copy of the roster kept by the commissioner shall be mailed by him to any licensee upon request and without charge."

Amend Sec. 22, page 35, line 14, by striking out the figure "22" and inserting in lieu thereof: "20."

Amend Sec. 22, page 35, line 16, by striking out the word "commissioner" and inserting in lieu thereof: "court of quarter sessions."

Amend Sec. 22, page 35, line 16, by striking out the word "state" and inserting in lieu thereof: "county."

Amend Sec. 23, page 35, line 17, by striking out the figure "23" and inserting in lieu thereof: "21."

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection,

House Bill No. 651, Printer's No. 204,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 672 as follows:

An Act to further amend Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for State payments to approved sublessees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) and (b) of Section 2511.1 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as last amended by the act approved the twenty-first day of January one thousand nine hundred fifty-two (P. L. 2195) is hereby further amended to read as follows

Section 2511.1 Payments on Account of Obligations to State Public School Building Authority and on Account of Rentals Payable to Municipality Authorities and Nonprofit Corporations (a) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings or providing educational equipment under the provisions of the State Public School Building Authority Act and to each school district that has become a sublessee of any such building buildings or equipment under a sublease approved by the Superintendent of Public Instruction an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental charge as fixed by the State Public School Building Authority or (2) of the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental charge fixed by the State Public School Building Authority

(b) The Commonwealth shall also pay commencing with the school year one thousand nine hundred fifty-one—one thousand nine hundred fifty-two (1951-1952) and annually in each school year thereafter to each school district which shall have entered into an approved lease with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment and to each school district that has become a sublessee of any such building buildings or equipment under a sublease approved by the Superintendent of Public Instruction an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the rental or share thereof paid by the school district during the prior school year under its [leave] lease with such municipality authority or nonprofit corporation or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental or share thereof paid by the school district during the prior school year under its lease with such municipality authority or non-profit corporation No payment shall be made to any school district on account of any lease entered into with any municipality authority or non-profit corporation unless such lease is approved by the Department of Public Instruction The Department of Public Instruction shall give its aproval if it shall find that the leased project is in conformance with general county and State plans for an orderly development of improved attendance areas and administrative units and for the improved housing of public schools in the Commonwealth that the school building will conform with standards and regulations prescribed by the department with respect to educational design location usefulness for community activities safety comfort and convenience and that the school district or school districts to which the project is to be leased will have the ability to meet from current revenue the rental or their respective shares of rental to be paid to the municipality authority or nonprofit corporation under the proposed lease and to defray the cost of their respective shares of the cost of operation and maintenance of the project

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.,	Murray. J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood.	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Williams,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 738, Printer's No. 314,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 772 as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L.

30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the conditions under which education and training of handicapped children may be secured outside the public schools of the district and the basis for Commonwealth reimbursements on account of courses for such children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1372 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1372 Special Classes or Schools or Other Provision for Education The county or district superintendent of schools shall submit to the board or boards of school directors plans for establishing and maintaining special classes in the public schools or special public schools for the proper education and training of all such children reported to him as fit subjects for special education and training Except as herein otherwise provided it shall be the duty of the board of directors of any district having such children to provide and maintain or to jointly provide and maintain with neighboring districts such special classes or schools The State Superintendent of Public Instruction shall superintend the organization of such special classes and such other arrangements for special education and shall enforce the provisions of this act relating thereto If it is not feasible to form a special class [with a minimum attendance of ten (10) children] in any district or [if for any other reason it is not feasible] to provide such education for any such child in the public schools of the district the board of school directors of the district shall [except as herein otherwise provided unless approved provision for the education of such child is made by the parents or guardian] secure such proper education and training outside the public schools of the district or in special institutions or by providing for teaching the child in his home in accordance with rules and regulations prescribed by the Department of Public Instruction on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children

Section 2 Section 2509 of said act as amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1925) is hereby further amended to read as follows

Section 2509 Payments on Account of Courses for Handicapped Children Every school district regardless of classification shall be paid by the Commonwealth for [every] the school term 1953-54 the sum of twenty dollars ($20) per pupil in average daily membership in a course or courses for mentally handicapped children and the sum of thirty dollars ($30) per pupil in average daily membership in a course or courses for physically handicapped children approved by the Superintendent of Public Instruction Beginning with the school term of 1954-1955 and for every school term thereafter every school district regardless of classification shall be paid by the Commonwealth an amount to be determined by multiplying the average daily membership in a course or courses for mentally or physically handicapped children (1) at the elementary level by an amount determined by substracting the "instruction cost per elementary pupil" as defined in Section 2561 of this act from the "instruction cost per special class pupil" as hereinafter defined for the preceeding school term (2) at the secondary level by an amount determined by subtracting the "instruction cost per high school pupil" as defined in Section 2561 of this act from the "instruction cost per special class pupil" as hereinafter defined for the preceding school term

To find the "instruction cost per special class pupil" add (1) salaries of directors and supervisors of special education public school psychologists principals of special schools and assistants teachers of approved special classes for physically and mentally handicapped children clerks and assistants employed in the district's program for special education (2) the district's contribution to the retirement fund on behalf of directors and supervisors of special education public school psychologists principals of special schools and assistants teachers of approved special classes for physically and mentally handicapped children clerks and assistants employed in the district's program for special education (3) the cost of textbooks and supplies of the second class used in the district's special education classes or schools Divide the sum of (1) (2) and (3) by the total number of pupils in average daily membership in the district's approved special classes for physically and mentally handicapped children The quotient so obtained shall be the "instruction cost per special class pupil"

The average daily membership of speech correction classes shall be calculated by multiplying (1) the average number of pupils in speech correction classes per week by (2) the number of periods per week that speech correction is provided for the individual pupil by (3) the number of minutes per period in speech correction class Divide the products of (1) (2) and (3) by the total number of minutes spent in all classes weekly by the average pupil The quotient thus obtained will be the "average daily membership for pupils in speech correction classes"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Goodling,	McCann,	Schwartz,
Alexander,	Gramlich,	McCormack,	Scott,
Amarando,	Greenwood,	McCullough,	Seyler,
Andrews,	Guss,	McDermit,	Shoemaker,
Ashton,	Gutendorf,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Bolton,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Breth,	Jim,	Moscrip,	Thomas,
Brown,	Johnson,	Muldowney,	Thompson,
Bucchin,	Jones, Geo. E.,	Munley,	Toll,
Buchanan,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	VanSant,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Clapper,	Keller,	Ogilvie,	Vaughan,
Cochran,	Kent,	Olsen,	Wall,
Comer,	Kerlin,	Parlante,	Wallace,
Connelly,	Kline,	Peifly,	Walsh,
Conner,	Kohl,	Peta,	Wargo,
Coyle,	Kolankiewicz,	Petrosky,	Waterhouse,
Curwood,	Kornick,	Pfaff,	Weidner,
Davis,	Kratz,	Phillips,	Welsh,
Dougherty,	Kromer,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan,	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yeakel,
Fleischman,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeitz,

Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C.,
Gleason,	Mathews,	Schuster,	Speaker
Glick,	Maxwell,		

NAYS—1

DuBois,

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 777, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey one acre and 102.93 perches more or less of land in Ephrata Township Lancaster County with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land known as Ephrata Cloister situate in Ephrata Township Lancaster County Pennsylvania bounded and described as follows

Beginning at a point in the middle of the State Highway Route Number 222 leading from Reading toward Lancaster said point being situate 34.10 feet north of the northwest corner of property of Mount Zion Cemetery and said place of beginning marking also a corner in common with property of the Commonwealth of Pennsylvania thence north 3 degrees 58 minutes east along the Public Road leading toward Lincoln a distance of 274.90 feet to a point thence north 86 degrees 17 minutes west along the middle of an unopened road a distance of 525.52 feet to a point in the middle of the aforementioned State Highway Route Number 222 thence along the middle of said State Highway south 60 degrees 26 minutes west a distance of 624.80 feet to the place of beginning containing one acre and 102.93 perches strict measure including the area within the right of way of the aforementioned roads Being a part of the same premises which the Receiver of the German Religious Society of the Seventh Day Baptists conveyed to the Commonwealth of Pennsylvania by deed dated the twenty-seventh day of May one thousand nine hundred forty-one and recorded in Lancaster County Deed Book "C" Volume 35 at page 577

This conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the Historical Preservation Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Gutendorf,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tomplins,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,	Markley,	Schmidt,	Speaker
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 806, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in the Borough of Brookville Jefferson County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on

behalf of the Commonwealth of Pennsylvania to sell at public sale the following described track of land situate in the Borough of Brookville Jefferson County Pennsylvania

Beginning at an iron pipe on the West edge of South Main Street 44.3 feet South of the intersection of the West edge of South Main Street with Thompson Street running thence South 35 degrees West for a distance of 150 feet along the West edge of South Main Street to an iron pin thence North 55 degrees West a distance of 216 feet to an iron pin on the East edge of Kunz Street thence North 35 degrees East a distance of 127 feet along the East edge of Kunz Street to an iron pin thence North 1 degree 45 minutes East a distance of 14 feet along the edge of Kunz Street to an iron pin thence South 65 degrees 10 minutes 30 seconds East a distance of 117.63 feet to a point in the middle of a 16 foot alley thence South 35 degrees West a distance of 9.44 feet to a point thence South 55 degrees East a distance of 108 feet to a point of beginning 0.7445 acres more or less

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 The money received by the Commonwealth as consideration for the sale and conveyance of said land shall be credited to the Motor License Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Granle E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Loprestl,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASEED OVER

There being no objection

House Bill No. 811, Printer's No. 94
House Bill No. 812, Printer's No. 95
House Bill No. 813, Printer's No. 96
House Bill No. 814, Printer's No. 97
House Bill No. 816, Printer's No. 99
House Bill No. 834, Printer's No. 345 and
House Bill No. 894, Printer's No. 299

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 906, as follows:

An Act to further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by extending certain provisions to mines where only one person is employed or engaged in work and changing the provisions for enforcement procedure and penalties and providing for an additional form of appeal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the fifth day of June one thousand nine hundred fortly-seven (P. L. 478) is hereby further amended to read as follows

Section 1 Be it enacted &c That this act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work but mine inspectors shall nevertheless at least once in each six months enter and inspect all mines where from [two] one to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards of safety provided by regulations promulgated by the Secretary of Mines he or his mine inspector shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Appeals from any order of the Secretary of Mines or any of his mine inspectors shall be taken as provided under the Administrative Agency Law Mandatory enforcement of

any such order may be had by injunction proceedings In any mine where five or less persons are employed or where five or less persons are engaged in the production of anthracit the Secretary shall close such mine pending any appeal from his order or the order of any of his mine inspectors with respect to the correction of any unsafe conditions or from any restraining order of any court

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a minfe in which from [two] one to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of [twenty-five] fifty dollars [($25)] ($50) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of [fifty] one hundred dollars [($50)] ($100) and costs of prosecution and be imprisoned for a period of thirty (30) days Upon conviction of a second or subsequent offense each day during which a person shall operate or be a party to the operation of a mine contrary to the order of the mine inspector shall constitute a separate offense

Informations charging violations of any of the summary provisions of this act shall be brought before [the nearest available] any magistrate alderman or justice of the peace within the [city borough incorporated town or township] county where the alleged violation occurred [Provided That where there is no substantial difference between the respective distances from the place whre the alleged violation occurred to the offices of more than on magistrate alderman or justice of the peace any such prosecution may be brought before any one of such officers or if there is no person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adam,	Goodling,	McCann,	Schwartz,
Alexander,	Gramlich,	McCormack,	Scott,
Amarando,	Greenwood,	McCullough,	Seyler,
Andrews,	Guss,	McDermit,	Shoemaker,
Ashton,	Gutendorf,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Bolton,	Hersch,	Monroe,	Stoner,
Boory,	Hewitt,	Moody,	Strausser,
Bower,	Hocker,	Moore,	Sucher,
Breisch,	Jenkins,	Moran,	Taylor,
Breth,	Jim,	Moscrip,	Thomas,
Brown,	Johnson,	Muldowney,	Thompson,
Bucchin,	Jones, Geo. E.,	Munley,	Toll,
Buchanan,	Jones, Gran'le E.,	Murray, J. J.,	Tompkins,
Bullen,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Capano,	Jones, T. H. W.,	Musto,	VanSant,
Cianfrani,	Jump,	Naugle,	Varallo,
Cioffi,	Kamyk,	Needham,	Varner,
Clapper,	Keller,	Ogilvie,	Vaughan,
Cochran,	Kent,	Olsen,	Wall.
Comer,	Kerlin,	Parlante,	Wallace,
Connelly,	Kline,	Peifly,	Walsh,
Conner,	Kohl,	Peta,	Wargo,
Coyle,	Kolankiewicz,	Petrosky,	Waterhouse,
Curwood,	Kornick,	Pfaff,	Weidner,
Davis,	Kratz,	Phillips,	Welsh,
Dougherty,	Kromer,	Polaski,	Wescott,
Down,	Kubacki,	Polen,	Whalley,
Downey,	Lafore,	Poltenstein,	Wheeler,
Dunn,	Lederer,	Price,	White,
Erb,	Leisey,	Quisenberry,	Whitenight,
Ewing,	Leonard,	Ragot,	Willaredt,
Farabaugh,	Leven,	Readinger,	Williams,
Fenrich,	Light,	Reagan.	Wilt,
Ferster,	Limper,	Reidenbach,	Wood,
Filo,	Lippincott,	Richter,	Worley,
Flack,	Lopresti,	Rosen,	Yeakel,
Fleischman,	Lovett,	Rovansek,	Yetzer,
Flynn,	Lutty,	Royer,	Young,
Frost,	Maguire,	Rubin,	Zeltz,
Geer,	Mahan,	Sarraf,	Ziegler,
Gibson,	Markley,	Schmidt,	Smith, C. C., Speaker
Gleason,	Mathews,	Schuster,	
Glick,	Maxwell,		

NAYS—1

DuBois,

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 952, Printer's No. 238 and

House Bill No. 1001, Printer's No. 288,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1042, as follows:

An Act to further amend the title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" by transferring the control management supervision restoration and improvement of said park and the power to make and enforce rules and regulations for the preservation and visitation thereof to the Pennsylvania Historical and Museum Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Section 3 of the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1667) entitled as amended "An act authorizing the Pennsylvania Historical Commission on

behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof by the Department of Forests and Waters authorizing the department to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor" as amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 50) are hereby further amended to read as follows

An Act

Authorizing the Pennsylvania Historical and Museum Commission on behalf of the Commonwealth of Pennsylvania to acquire all real and personal property included in the Conrad Weiser Memorial Park in Heidelberg Township Berks County from the Conrad Weiser Memorial Park Association providing for the control management supervision restoration and improvement thereof [by the Department of Forests and Waters] authorizing [department] commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation therefor

Section 3 [The Department of Forests and Waters] The Pennsylvania Historical and Museum Commission shall have full control management and supervision of the Conrad Weiser Memorial Park and shall have power to adopt and carry into effect plans for the restoration improvement and maintenance of the park and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varner,
Cioffi,	Jump,	Naugle,	Varallo,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act to add section 1-A to the act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" by requiring all fees which have been collected or are collected in the future to be transmitted to the State Treasurer through the Department of Revenue and credited to the General Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fifteenth day of April one thousand eight hundred seventy-three (P. L. 75) entitled "An act relating to the fees of the surveyor general" which was last amended by the act approved the twenty-eighth day of April one thousand nine hundred thirty-three (P. L. 100) is hereby further amended by adding immediately following section one thereof a new section to read as follows

Section 1-A The Department of Internal Affairs is directed to transmit all fees heretofore collected and all fees collected in the future under the provisions of this act to the State Treasurer through the Department of Revenue for deposit to the credit of the General Fund

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,

Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,	Markley,	Schmidt,	Speaker
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1143, Printer's No. 322

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1159, as follows:

An Act to further amend subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for increasing the membership of county boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 921 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-eighth day of September one thousand nine hundred fifty-one (P. L. 1551) is hereby further amended to read as follows

Section 921 Election Vacancies Qualifications Removals (a) In every county having a county superintendent of public schools there shall be a county board of school directors consisting of five (5) or seven (7) members as determined by the annual convention of the school directors of the county and who shall be elected at the annual convention of the school directors of the county next preceding the expiration of their respective terms of office by majority vote of the school directors of the districts under the supervision of the county superintendent attending such annual convention They shall serve for terms of six years from the first day of July following their election or until their successors are chosen The terms of the members shall be staggered so that if there are five (5) members two members shall be elected in the year one thousand nine hundred fifty-two two in the year one thousand nine hundred fifty-four and one in the year one thousand nine hundred fifty-six and thereafter two members or one member as is required to fill the expiring terms if there are seven (7) members the terms of the two (2) additional members shall be staggered so that not more than three (3) members shall be elected in the same year All vacancies occuring by reason of death resignation removal from the county or otherwise shall be filled by a majority vote of the remaining members of the county board of school directors The person elected to fill such vacancy shall hold his office until the next annual convention at which a successor shall be elected for the remainder of the unexpired term

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Haudenshield,	Mikula,	Stimmel,
Blair,	Harris,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,

Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,	Markley,	Schmidt,	Speaker
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1184, Printer's No. 369

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203, entitled:

An Act to amend Section 1 of the act, approved the fifth day of August, one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes, authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by limiting the rate of tax permitted on transfers of title of real property.

On the question,

Will the House agree to the bill on third reading?

Mr. WILBUR H. HAMILTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1), page 2, line 12, by striking out the bracket before the word "or" and after the word "second"

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out the bracket before the word "or" and after the word "second"

Amend Sec. 1, (Sec. 1), page 3, line 10 by striking out the bracket before the word "or"

Amend Sec. 1, (Sec. 1), page 3, line 10 by inserting a bracket before "here-"

Amend Sec. 1 (Sec. 1), page 3, line 15, by striking out the bracket before the word "and" and after the word "second"

Amend Sec. 1 (Sec. 1), page 3, line 15, by striking out "CLASS"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1210, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 24.1 acres more or less of land situate in the City of Erie Erie County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies acting on behalf of the Commonwealth of Pennsylvania with the approval of the Governor is hereby authorized to sell at public sale to the highest bidder and canvey the following described tract of land situate in the City of Erie County of Erie and Commonwealth of Pennsylvania bounded and described as follows

Beginning at a point at the northerly end of Wayne Street said point being the northerly end of the easterly line of Wayne Street (before the widening of said street in an easterly direction by 5 feet as set forth in Ordinance No 229 dated September 17 1886) said northerly end of Wayne Street being 33.05 feet more or less northerly from the intersection of the easterly line (before widening of Wayne Street with the northerly line of the right-of-way of the "Whallon Yard" spur of the Pennsylvania Railroad Company thence north 26 degrees 52 minutes west 1,654.04 feet to a point thence north 53 degrees 15 minutes west 1,690.59 feet to a point thence south 17 degrees 15 minutes east 427.30 feet to a point thence south 53 degrees 15 minutes east 1,287.92 feet to a point thence south 26 degrees 52 minutes east 1,478.52 feet to a point thence south 22 degrees west 524.51 feet to a point thence southwesterly along an arc having a radius of 360 feet 245.60 feet measured on said arc to a point thence south 61 degrees 3 minutes west to the northerly right-of-way line of the Pennsylvania Railroad thence easterly along said right-of-way to a point being located on a line having a bearing north 66 degrees 19 minutes west and being 216.84 feet from a monument located at the intersection of said right-of-way line with the northerly line of the right-of-way of the said "Whallon Yard" spur thence north 49 degrees 59 minutes 30 seconds west 70.25 feet to a point thence north 10 degrees 38 minutes west 225.60 feet to a point thence north 85 degrees 37 minutes 30 seconds east 46.95 feet to a point thence north 3 degrees 4 minutes 30 seconds east 41.81 feet to a point thence 78 degrees 59 minutes east 97 feet more or less to a point located on the northerly right-of-way of the said "Whallon Yard" spur thence northerly along said right-of-way to the westerly line of Wayne Street (after widening) thence north 26 degrees 52 minutes west to the northerly end of Wayne Street thence north 63 degrees 8 minutes east 45 feet more or less to the point of beginning and containing 24.1 acres of land be the same more or less

Section 2 The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject neverthless to any estates or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 3 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 4 All monies received from the sale of the land herein authorized to be conveyed shall be deposited to the credit of the General Fund

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh,
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Piaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 470, as follows:

An Act to amend subsections (d) and (f) of section 816.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by eliminating the provisions which require trailers and semi-trailers to be equipped with safety glass

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (d) and (f) of section 816.1 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation or vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 816.1 Safety Glass

* * * * *

(d) It shall be unlawful on and after January first one thousand nine hundred thirty-eight to operate on any public highway or street in this Commonwealth any trailer or semi-trailer except one designed or used for living quarters manufactured assembled or reconstructed after said date unless such trailer or semi-trailer is equipped with safety glass whenever glass is used in doors windows or windshields

* * * * *

(f) It shall be unlawful to operate any vehicle except one designed or used for living quarters on any public highway or street in this Commonwealth unless such vehicle be equipped with safety glass whenever the glass used in the doors windows or windshields is replaced after the effective date of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. I understand there is some objection to this bill. I would like to ask some Member who opposes this bill to inform me as to the reasons why there is opposition.

The SPEAKER. Is there any opposition that would care to inform the Minority Leader as to his opposition?

Mr. ANDREWS. The reason I asked was that one organization listed this bill as a bill to which it was opposed, and I am endeavoring to ascertain the reasons for the opposition.

Mr. BOLTON. Mr. Speaker, the opposition to this bill is strictly along the lines of a safety measure. The law requires trailers and semi-trailers to be equipped with safety glass as a protection to passengers and drivers in these vehicles. The safety glass, of course, will not shatter, will not fly, and when we remove a reasonable safety restriction of this sort we set up a hazard to passengers in trailers and to anyone who may be in that vehicle and is subjected to the possible danger of flying glass. I think the law as it stands now is a reasonable measure and should not be changed by this deletion.

Mr. LOVETT. Mr. Speaker, there are many reasons why, in case of an accident on a highway with one of these trailers, people are going to be hurt by flying glass regardless of whether there is anyone in the trailer or not in the trailer. If there is an accident, anyone involved in the accident may be hurt. I think it is a bad bill.

Mr. HOCKER. Mr. Speaker, to answer Mr. Andrews, the only opposition to this bill that I had known of until this particular moment was from two manufacturers of safety glass in the Commonwealth of Pennsylvania.

However, I would like to explain this bill. Mr. Wescott and I went over it very thoroughly with the Department of Revenue. There is a provision in the motor code to have these trailers equipped with safety glass. In the policy book of the Department of Revenue, they do not carry out this provision, due to the fact that there are very very few trailers built that are equipped with safety glass.

There are two trailers built I understand that have safety glass, and some poor unfortunate person who does not have enough money to buy a home purchases one of these trailers, not knowing that the safety glass is not in it and not knowing of the provisions of the Motor Vehicle Code, lives in it for a year, or two years or three years, and then suddenly they change positions and they move this trailer from one trailer camp to another. The law now reads that when they leave the trailer camp they must go to the first inspection station available and have this trailer inspected, which they do.

Now the policy book on the Department of Revenue says that they should not bother with this particular glass issue and let it ride, but there have been cases where some guy cracked down, wants to make some money and he insists that they follow the code to the "T" and this unfortunate person has to expend $150 or $200 to put safety glass in his trailer before he can move it to another position.

It is a very rare occasion when anyone rides in these trailers, and the traffic records show that we have had very little trouble with it. The only thing we are interested in and the Department of Revenue went along with it is that we want to clarify it so that these unfortunate people do not wake up suddenly and find themselves over a barrel to the tune of about $200.

I think it is a good bill, and it will not hurt anyone except the manufacturers of safety glass. Of course those people want safety glass in everything including your own home. There is no difference between one of these trailers and your own home, and you can be hurt by flying glass in your own home.

I think it is a good bill, I think it is a clarification that is going to take a lot of people off the hook.

Mr. BOLTON. Mr. Speaker, I submit to the House that because the Department of Revenue fails to enforce a measure enacted by the General Assembly of Pennsylvania is no reason for us to withdraw the measure.

As far as the safety provisions for living quarters on wheels or whatever you want to call them—these trailers that are involved in this bill—are concerned, the people within and without those trailers are entitled to the same protection, that people within automobiles and trucks are entitled to.

As far as Mr. Hocker's statement as to the cost of equipping a trailer with safety glass, I can assure the gentleman that there is no possible chance of a $200 bill for equipping a trailer with safety glass.

Mr. HOCKER. Mr. Speaker, I do not like to differ with my good friend Mr. Bolton. Most of the trailers on the road today are equipped with picture windows in the front of the vehicle and they have quite a number of windows in them.

I beg to differ with the gentleman and I thought I was being very lenient when I named a figure of $200, because I do not believe you could get away with that.

Mr. LOVETT. Mr. Speaker, may I interrogate the gentleman from Dauphin?

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. HOCKER. I shall, Mr. Speaker. Let us be fair and no lawyer's questions.

Mr. LOVETT. Mr. Speaker, I do not have lawyer's questions. May I ask the gentleman what the price of one of these trailers is?

Mr. HOCKER. They vary from $3,400 to $6,000 or more.

Mr. LOVETT. Are you talking about the poor men's trailers or the rich men's trailers?

Mr. HOCKER. Well when you take into consideration the cost of a house today, $18,000 or $20,000, I say it is a poor man's job, with the exception of my colleague.

Mr. LOVETT. The gentleman does not run his home up and down the highway does he?

Mr. HOCKER. No, not if I can help it. I have often felt like it.

Mr. LOVETT. Does not the gentleman think that for the safety of the general public traveling on the highway with these trailers with these—what kind of windows did you call those in the front?

Mr. HOCKER. They are picture windows.

Mr. LOVETT. Don't you think they might cut a man's head off pretty quick if he got into an accident with one of those?

Mr. HOCKER. Well, by the same token the car is in front of the trailer being towed and I think you would have a tough time getting up over that car into the picture window.

Mr. LOVETT. May I ask the gentleman are there any picture windows in the back?

Mr. HOCKER. No, not in the back. That is for you to sleep.

Mr. LOVETT. Are there any on the sides?

Mr. HOCKER. In some instances, yes.

Mr. LOVETT. Well a fellow might sideswipe one.

Mr. HOCKER. That is entirely possible.

Mr. LOVETT. Mr. Speaker, I still think that it is a

bad piece of legislation. If one life was lost due to the fact that there was no safety glass I think that in itself is enough to defeat the bill.

Mr. SCHWARTZ. Mr. Speaker, I do not think we have to go very much further than the title of this bill. It says "An act for the protection of the public safety regulating the use of the highway."

I think on the basis of that title alone, any attempt to eliminate the provision which requires safety glass in trailers and semi-trailers, would be a detriment to the legislation itself, to the bill which this tries to amend, as well as to the pubic safety of the peope who sit in these trailers and operate them, and as well as all the users of the highways. You can envision somebody in another automobie being injured by flying glass—you can envision a pedestrian on the highway or city street, rural area likewise being injured by this flying glass.

I likewise concur that this is a bad piece of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—72

Auker,	Haudenshield,	Moody,	Stoner,
Banker,	Hocker,	Moore,	Strausser,
Barkdoll,	Johnson,	Moscrip,	Toomey,
Baumunk,	Jump,	Murray, P. G.,	VanSant,
Blair,	Keller,	Naugle,	Varner,
Breth,	Kent,	Ogilvie,	Vaughan,
Brown,	Kerlin,	Peifly,	Wall,
Clapper,	Kohl,	Petrosky,	Wallace,
Connelly,	Lafore,	Phillips,	Waterhouse,
Down,	Leisey,	Price,	Wescott,
DuBois,	Light,	Ragot,	Whalley,
Ferster,	Lippincott,	Reagan,	Willaredt,
Flack,	Mahan,	Royer,	Wilt,
Frost,	Markley,	Rubin,	Worley,
Gibson,	Mathews,	Scott,	Yeakel,
Gleason,	Metz,	Shoemaker,	Young,
Goodling,	Mikula,	Spencer,	Ziegler,
Gutendorf,	Miller,	Stimmel,	Smith, C. C., Speaker

NAYS—106

Alexander,	Flynn,	McCann,	Sarraf,
Andrews,	Geer,	McCormack,	Schmidt,
Ashton,	Glick,	McCullough,	Schuster,
Bazin,	Gramlich,	McDermit,	Schwartz,
Bear,	Guss,	McWherter,	Shotwell,
Bolton,	Guthrie,	Mihm,	Smith, W. B.,
Boory,	Hall,	Mills,	Snider,
Bucchin,	Hamilton, R. K.,	Monroe,	Stank,
Buchanan,	Hamilton, W. H.,	Moran,	Stone,
Bullen,	Hersch,	Muldowney,	Taylor,
Capano,	Hewitt,	Munley,	Thomas,
Cianfrani,	Jenkins,	Murray, J. J.,	Thompson,
Cioffi,	Jim,	Musto,	Toll,
Cochran,	Jones, Geo. E.,	Needham,	Tompkins,
Comer,	Jones, Gran'le E.,	Olsen,	Varallo,
Conner,	Jones, Paul F.,	Parlante,	Walsh,
Coyle,	Kamyk,	Peta,	Wargo,
Curwood,	Kubacki,	Pfaff,	Weidner,
Davis,	Lederer,	Polaski,	Welsh,
Dougherty,	Leonard,	Polen,	Wheeler,
Downey,	Leven,	Poltenstein,	White,
Dunn,	Limper,	Quisenberry,	Whitenight,
Ewing,	Lopresti,	Readinger,	Williams,
Farabaugh,	Lovett,	Richter,	Wood,
Fenrich,	Lutty,	Rosen,	Yetzer,
Filo,	Maguire,	Rovansek,	Zeitz,
Fleischman,	Maxwell,		

NOT VOTING—29

Adam,	Floyd,	Kline,	Pettigrew,
Amarando,	Greenwood,	Kolankiewicz,	Reidenbach,
Boies,	Harris,	Kornick,	Seyler,
Bomberger,	Helm,	Kratz,	Stevenson,
Bower,	Hoggard,	Kromer,	Sucher,
Breisch,	Ide,	McGee,	Verona,
Cooper,	Jones, T. H. W.,	McInroy,	Watkins,
Erb,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORTS FROM COMMITTEES (IN THE HOUSE)

Mr. HALL from the Committee on Ways and Means, reported as committed, House Bill No. 900, entitled:

An Act to add section 3.1 to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certificates to be issued upon payment of tax, be attached to windshields and providing penalties.

Mr. HALL from the Committee on Ways and Means, re-reported as committed, House Bill No. 908, entitled:

An Act to provide revenue by imposing A tax on the use and storage of tangible personal property within the Commonwealth providing for the assessment collection and lien of the tax imposing duties on prothonotaries requiring sellers maintaining a place of business in this Commonwealth to register make returns and collect the tax prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

Mr. HALL from the Committee on Ways and Means, re-reported as committed, House Bill No. 909, entitled:

An Act to provide revenue by imposing a tax on retail sales of tangible personal property to consumers requiring sellers to file returns providing for the assessment collection and lien of the tax imposing duties on prothonotaries prescribing penalties and providing for the use of the proceeds of such tax for public school purposes.

BILLS ON FIRST READING

Mr. HALL asked and obtained unanimous consent for House Bill No. 900 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 900 entitled:

An Act to add section 3.1 to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by providing for certificates to be issued upon payment of tax, to be attached to windshields and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. LOVETT asked and obtained unanimous consent to add additional sponsors to a bill to be reported from Committee by him.

REPORT FROM COMMITTEE

Mr. LOVETT from the Committee on Ways and Means, reported as committed, House Bill No. 1098, entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Common-

wealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

BILLS ON FIRST READING

Mr. LOVETT asked and obtained unanimous consent for House Bill No. 1098 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1098 entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, as follows:

An Act to amend clause (e) of and to add clause (e.1) to Section 401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by providing for the care of seniles on leave of absence from State mental hospitals and eliminating certain obsolete provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of Section 401 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto ablishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended and said section is also amended by adding after said clause a new clause to read as follows

Section 401 Powers and Duties as to Care of Dependents and Children The local authorities shall have the power and it shall be their duty with funds of the institution district or of the city according to rules regulations and standards established by the State Department of Welfare

* * * * *

(e) To pay the cost or part of the cost of the care and maintenance of mental and other patients confined in institutions State mental hospitals and other State institutions in the same manner and to the same extent as provided by law in the case of poor districts and to assume the obligations imposed by law on poor districts in respect to such care and maintenance [In like manner the Commonwealth shall be liable to institution districts maintaining institutions for mental patients for payment of part of the cost of the care and maintenance of such mental patients in the same manner as provided by law in respect to the liability of the Commonwealth to poor districts]

(e.1) To accept and care for seniles on leave of absence from State mental hospitals

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. Mr. Speaker, those of us who are opposed to this bill are opposed to it on the ground that it is an attempt to pass back from the state to the local institution district the cost of the care of the seniles.

In the 1949 Session, I believe it was under Governor Duff, the state commenced a new era in its policy toward the care of those who are mentally ill. The state at that time took upon itself the responsibility for this care. We feel that the passing of this bill is a step backward along that line. We feel that the care of the senile and the mentally ill is a responsibility of the Commonwealth of Pennsylvania as a Commonwealth, not the responsibility of the individual institution districts.

We, therefore, ask you from all counties who will be shouldered with the responsibility of taking back from the state institutions those whom the state institutions feel are senile and can be returned to your own institution districts, the responsibility for the care of these people.

Mr. ANDREWS. Mr. Speaker, I think we should be given the courtesy of a report from the sponsors of this bill concerning any information that may have been available as to the costs that the passage of this bill might cause the counties to incur.

Mrs. MARKLEY. Mr. Speaker, relative to this bill there will probably be no net savings to the Commonwealth for a number of years until the county homes are uniformly converted to care for the aged and their special problems.

However, the initial impact of this bill would be a great turnover of senile patients into state mental hospitals so that the needs of the community would be met more adequately.

In other words, an estimated 800 beds would become available for other patients or reduce overcrowding as the seniles were absorbed in county homes. We do not have the exact costs.

In other words the advantage of this bill would be to unburden the state mental hospitals of infirm elderly people who are no longer mentally upset. These people who are subject to the usual infirmities of old age require nursing care which cannot be satisfactorily rendered to them in their homes due to changing conditions and

for whom their is no facility for public nursing care.

This legislation is a step in the right direction toward the inevitable designation of public responsibility for indigent aged persons whose infirmities are of normal sequence and do not include bona fide mental illness.

Mr. ANDREWS. Mr. Speaker, I thank the lady.

The bill in question seems to presume that there is available space for additional patients in the county institutions. The county institution in my county is already overcrowded with patients who are by reason of their mental condition entitled to care in a state institution. There are no additional beds created by simply trading patients from one institution to another; you do not create any more beds.

At the present time a state institution only takes the patient from a county institution, if the county institution accepts a patient from the state institution. Tha process is already going on. But for the state institutions to release all of the senile patients in their custody, that might not be absolutely required at the state institution, for the state to turn them loose and send them back, there is no place for them.

It does not seem to me that this bill digs us out in any way from the difficulties and as a matter of fact it complicates our problem. I think the bill requires more thought than we are prepared to give it at the present time. I would suggest that it go over until we think more about it.

However if they want to bring it to a vote tonight it is quite all right with me.

The SPEAKER. Does the gentleman desire the sponsor to answer the question whether she desires the bill to be passed over?

Mr. ANDREWS. Whether she desires to press for a vote tonight or would prefer to have it go over.

The SPEAKER. Does the lady from Lehigh desire the bill to be voted on tonight or be passed over?

Mr. MARKLEY. I yield to the Majority Leader, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, I might say that this bill was given to us by the Department, and I think it was prepared in all good faith as Mrs. Markley has stated.

I think there is quite a lot of merit in what the Minority Leader has said about the question whether counties presently have facilities to accept these senile patients. It might be that an amendment should be inserted that would say that counties must take them if they have facilities available.

I think we could well pass it over to make that further study.

Mr. ANDREWS. Mr. Speaker, this bill is certainly an example of the wild and reckless way in which the Department of Welfare has been handling many of its problems.

The SPEAKER. If there is no objection, the Chair will withdraw its decision that this bill was agreed to on third reading. The Chair hears none.

BILL PASSED OVER

There being no objection

House Bill No. 946, Printer's No. 287

was passed over at the request of Mr. Johnson.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1041, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing additional compensation for cooperating teachers supervising student teachers to be paid by the teacher education institution in which the student teacher is enrolled

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto"

* * * * * is hereby amended by adding after section 1144.1 thereof a new section to read as follows

Section 1144.2 Supervision of student teachers Cooperating teachers who are full-time employes of a school district assisting with the supervision of student teachers and have the following minimum qualifications a baccalaureate degree and at least three years, experience as a public school teacher or a standard certificate and at least ten years of such experience shall be paid a minimum annual additional compensation of fifty ($50) dollars for each student teacher under his or her supervision who is enrolled in an approved teacher education institution other than a State Teachers College to secure twelve semester hours of student teaching credit the compensation shall be paid by the Teacher Education Institution in which the student teacher is enrolled

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, I would like to interrogate the sponsor of this bill, if I may, either one of the sponsors.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. BUCHANAN. I shall, Mr. Speaker.

Mr. LOPRESTI. I would like to have the gentleman explain just what this bill does?

Mr. BUCHANAN. Under the State Teachers colleges salary bill the cooperative supervisors or cooperative teachers are paid a minimum of $50 per student teacher per semester. You see the State Teachers colleges are not able to hire a large enough faculty to provide training for their student teachers. So they send their seniors who are doing their student teaching out into the public school system, and the State Teachers colleges select teachers to train their student teachers.

Those are the provisions under the State Teachers College Salary Act. They must pay now the $50 minimum salary. Under this bill the other colleges in the Commonwealth of Pennsylvania will also have to pay this $50 minimum salary.

We have cases in Pennsylvania today where in one school system a state teachers college supervisor will be getting $50 for training a student teacher.

A teacher in that same system may be training a student teacher from a liberal arts college and not receive any

compensation. This requires all colleges to pay the minimum of $50 per student teacher per semester.

Mr. LOPRESTI. Am I to understand then that the other colleges, if they have a hundred student teachers, will have to pay $50 for each one of those teachers who are shipped out to the public schools?

Mr. BUCHANAN. Yes, that is correct.

Mr. LOPRESTI. This would place an additional burden then for each pupil on these colleges.

Mr. BUCHANAN. A student teacher in a State Teachers College will practice for one semester at a cost of $50 to train that student for one whole semester. I think that is pretty cheap instruction. These liberal arts schools will now have to pay that $50. Some of these schools are charging tuition and sending out their student teachers to the public schools and are not paid anything for the instruction of those student teachers.

Mr. LOPRESTI. The state teachers colleges, where do they get the funds which they pay to the public school system?

Mr. BUCHANAN. Well that is from taxes. Now that is already—

Mr. LOPRESTI. They get that from taxes, is that right?

Mr. BUCHANAN. That is in this bill.

Mr. LOPRESTI. The colleges do not get it from taxes do they, the other colleges?

Mr. BUCHANAN. The other colleges would not.

Mr. LOPRESTI. In other words they would either have to raise their tuition or come in to the state for additional appropriations to meet the additional costs that this bill is going to place on them.

Mr. BUCHANAN. They would have to provide the funds.

Mr. LOPRESTI. Mr. Speaker, I think this is one service that the public school teachers of this Commonwealth should be well able to render to the colleges of this Commonwealth.

When a student teacher, a trainee comes in, he takes over that class, and all the teacher supervisor has to do is to see that this teacher properly handles the class and properly conducts herself.

That teacher is practically relieved of the responsibility of teaching the class himself or herself. I believe at this stage of the game it is unwise to pass on to the colleges of Pennsylvania, and eventually on to the public, either by increased tuitions that the students will have to pay or by increased appropriations, which I am certain a number of these colleges are going to have to come to the State of Pennsylvania.

I do not think it is too much to ask a public school teacher to sit by and supervise a young person who is learning to teach school. I personally believe that this bill is unnecessary, it is one form of expense that we should not incur and I believe that the bill should be voted down.

Mr. BUCHANAN. Mr. Speaker, this bill will not cost the taxpayers one cent. It will put all supervisors on the same level, regardless of whether they are supervising for a State Teachers college or any other college. Now I was led to believed by the remark that we just heard that when a student teacher goes into a school, the supervisor does not have anything to do. Well, the supervisor has a tremendous responsibility. He must observe that student teacher; he has to demonstrate lessons; he has to have conferences with his student teachers, and also he must teach a three-hour course in curriculum and materials, which is a college course. That is in addition to his public school schedule. So, certainly the teacher should be compensated for the services which he renders, the same as the member of any other profession.

Mr. LOPRESTI. I would like to again interrogate the gentleman from Indiana.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. BUCHANAN. I shall, Mr. Speaker.

Mr. LOPRESTI. Would this additional duty require any additional time on the part of the supervising teacher other than the regular school hours?

Mr. BUCHANAN. Oh, yes, as far as the teaching profession, the average teacher has to spend hours after the school has left out.

Mr. LOPRESTI. I mean in training or supervising this particular student teacher, is the teacher required to take any additional time other than school hours to train the student teachers?

Mr. BUCHANAN. Well, he must make plans, he must make his lesson plans, and it takes a lot of study. Yes, the average supervisor has to spend extra time.

Mr. LOPRESTI. You say that he does have to spend time other than the regular school hours in the particular training of the student teacher.

Mr. BUCHANAN. What do you mean by the particular training?

Mr. LOPRESTI. Well, you have a student training to be a teacher. Does that particular duty require extra time beyond the regular school hours?

Mr. BUCHANAN. Yes, it does. Now, for example, if you are going to teach curriculum and materials for a three-hour course, you have to prepare those lessons. If you were going to prepare observation lessons, that takes a lot of preparation.

Mr. LOPRESTI. And all the time the student teacher is being supervised, the teacher gets the regular salary agreed to and paid by the School Board?

Mr. BUCHANAN. That is correct.

Mr. LOPRESTI. This is an additional fee?

Mr. BUCHANAN. That is right.

Mr. LOPRESTI. Now, how long does a period of training last?

Mr. BUCHANAN. Well, in a big Teachers College a student must teach—pardon me, we will leave out the Teachers Colleges because they are already being paid—but about the student trainee who comes from one of the other colleges, the time varies. Some of the schools require a semester, some require nine weeks.

Mr. LOPRESTI. How many hours?

Mr. BUCHANAN. Well, if it is a semester, it would be fifteen semester-hours credit, that is, 12 semester-hours for student teaching and three for curriculum and materials If it was nine weeks, it would be either six or nine hours.

Mr. LOPRESTI. Then for six or nine hours they would receive $50 compensation?

Mr. BUCHANAN. Or, if it was a half-semester, it would be $25. This is $50 for a full semester's work.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—78

Andrews,	Dunn,	Leisey,	Rubin,
Ashton,	Erb,	Lippincott,	Scott,
Banker,	Ewing,	Mahan,	Shoemaker,
Barkdoll,	Ferster,	Markley,	Snider,
Bazin,	Frost,	Mathews,	Spencer,
Blair,	Gibson,	McInroy,	Stank,
Boory,	Gutendorf,	Mikula,	Stimmel,
Bower,	Guthrie,	Miller,	Strausser,
Breisch,	Hall,	Moore,	Sucher,
Breth,	Hamilton, W. H.,	Murray, P. G.,	Thompson,
Brown,	Haudenshield,	Peifly,	VanSant,
Bucchin,	Helm,	Phillips,	Vaughan,
Buchanan,	Johnson,	Polaski,	Wall,
Bullen,	Jump,	Quisenberry,	Wargo,
Clapper,	Keller,	Ragot,	Waterhouse,
Cochran,	Kent,	Readinger,	Whitenight,
Connelly,	Kerlin,	Reidenbach,	Willaredt,
Coyle,	Kohl,	Richter,	Yeakel,
Curwood,	Kromer,	Royer,	Smith, C. C., Speaker
Downey,	Lafore,		

NAYS—93

Alexander,	Jones, Geo. E.,	Monroe,	Schwartz,
Bear,	Jones, Gran'le E.	Moody,	Smith, W. B.,
Bolton,	Jones, Paul F.,	Moran,	Stevenson,
Capano,	Kamyk,	Moscrip,	Stone,
Cianfrani,	Kolankiewicz,	Muldowney,	Taylor,
Cioffi,	Kubacki,	Munley,	Thomas,
Comer,	Lederer,	Murray, J. J.,	Toll,
Conner,	Leonard,	Naugle,	Tompkins,
Davis,	Leven,	Ogilvie,	Varallo,
Dougherty,	Limper,	Olsen,	Wallace,
DuBois,	Lopresti,	Parlante,	Walsh,
Farabaugh,	Lovett,	Peta,	Weidner,
Filo,	Lutty,	Petrosky,	Welsh,
Fleischman,	Maguire,	Pfaff,	Whalley,
Flynn,	Maxwell,	Polen,	Wheeler,
Geer,	McCann,	Poltenstein,	White,
Gleason,	McCormack,	Price,	Williams,
Glick,	McCullough,	Reagan,	Wilt,
Gramlich,	McDermit,	Rosen,	Wood,
Guss,	McGee,	Rovansek,	Worley,
Hamilton, R. K.,	McWherter,	Sarraf,	Young,
Hocker,	Mihm,	Schmidt,	Zeitz,
Jenkins,	Mills,	Schuster,	Ziegler,
Jim,			

NOT VOTING—36

Adam,	Flack,	Jones, T. H. W.,	Seyler,
Amarando,	Floyd,	Kline,	Shotwell,
Auker,	Goodling,	Kornick,	Stoner,
Baumunk,	Greenwood,	Kratz,	Toomey,
Boies,	Harris,	Light,	Varner,
Bomberger,	Hersch,	Metz,	Verona,
Cooper,	Hewitt,	Musto,	Watkins,
Down,	Hoggard,	Needham,	Wescott,
Fenrich,	Ide,	Pettigrew,	Yetzer,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1137, as follows:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by requiring one year of approved hospital internship as an additional requirement for licensure exempting interns from the provisions of the act and requiring interns to register with the State Board of Osteopathic Examiners authorizing issuance of temporary certificates to practice osteopathy while in residency training in osteopathic hospitals in Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as last amended by the act approved the seventeenth day of April one thousand nine hundred forty-two (P. L. 47) is hereby further amended to read as follows

Section 8 Application to Engage in Practice From and after the approval of this act any person not theretofore authorized to practice osteopathy in this State and desiring to enter upon such practice may deliver to the Secretary of the State Board of Osteopathic Examiners upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character has obtained a preliminary education as hereinafter provided and has received a diploma conferring the degree in osteopathy from some legally incorporated reputable osteopathic college of the United States or some foreign country wherein the course of instruction consists of at least three separate years of not less than nine months in each separate year Applicants who receive their degree in osteopathy after the first day of January Anno Domini one thousand nine hundred and twelve must have pursued the study of osteopathy for four graded courses of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical studies the work of each course having been successfully passed in some legally incorporated reputable osteopathic college or colleges prior to the granting of said diploma or foreign license Provided further That any one who is in the practice of osteopathy in some other State at the time of the approval of this act and who is a graduate from a reputable and legally incorporated college of osteopathy providing a course of study of at least four terms of five months each shall be eligible for examination upon all other terms and conditions provided for applicants for examination under the provisions of this act And provided further That the completion of the regular four years' course and graduation from a reputable literary college in which four years' course two years were devoted to scientific and biological work in the college shall be accepted by the State Board of Osteopathic Examiners as an equivalent for the first year in a recognized reputable osteopathic college Provided That the examinations of the first year of the said osteopathic college have been successfully passed and accepted by the osteopathic college as leading adequately with chemistry toxicology physics phsysiology anatomy and the biologic sciences Such proof shall be made if required on affidavit Upon the making of said payment and proof the State Board of Osteopathic Examiners if satisfied with the same shall admit said applicant to examination as to his other qualifications for the practice of osteopathy which examination shall include the subjects of antaomy physiology chemistry toxicology pathology diagnosis hygiene obstetrics and gynecology surgery principles and practice of osteopathy and such other subjects as the board may require On receiving from the committee of examiners delegated to conduct examinations as provided for in section five of this act official report of the examination of any applicant for license the said State Board of Osteopathic Examiners shall issue [forthwith] subject to the provisions below relating to internship to each applicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of osteopathy a license to practice osteopathy in the State of Pennsylvania as provided for in section ten of this act In case of failure at any such examination the candidate after the expiration of six months and within two years shall have the privilege

of a second examination Having failed upon a second examination as herein provided application de novo may be made upon complying with the standard of qualification both as to character preliminary and osteopathic education in force at the time of said application and upon the payment of a fee of twenty-five dollars

An applicant who graduates from an osteopathic college after the first day of July one thousand nine hundred fifty-four shall not be issued a license to practice osteopathy until the Board of Osteopathic Examiners has received satisfactory evidence that the applicant has completed not less than one year as an intern in a hospital approved by the Board which shall contain at least twenty-five beds devoted to the treatment of osteopathic medical surgical and obstetrical cases shall maintain a thoroughly equipped laboratory proportionate to the necessities of the hospital shall maintain a department of anesthesia consisting of one or more anesthetists shall have a staff of not less than five properly qualified osteopathic physicians except in hospitals operated by the federal government any state government or any political subdivision wherein osteopathic physicians are permitted by law to practice together with physicians of other schools Any person a graduate of a legally incorporated reputable college of osteopathy serving as an intern under the supervision of the staff of any osteopathic hospital in Pennsylvania approved by the State Board of Osteopathic Examiners shall be exempt from the provisions of this act during the period of internship

The board upon receipt of a fee of twenty-five dollars may issue a temporary certificate granting the right to practice osteopathy in Pennsylvania to a graduate of a legally incorporated college of osteopathy licensed to practice osteopathy or medicine and surgery in any state or province of Canada while he or she is enrolled in a residence training program in an osteophathic hospital in Pennsylvania such residency training program shall be one that is recognized by the board as leading to specialty certification temporary certificates issued under this section shall not exceed the actual period of residency training

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARRAF. Mr. Speaker, on this bill both the medical profession and the osteopathic profession are in accord. It is evidently a bill confined to osteopathic training, and they want to encourage more training in their schooling before graduation. Of course, we are glad that they do want to raise their standards, we agree with them, and we are going along one hundred percent with the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Bucchin,	Jim,	Moscrip,	Thompson,
Buchanan,	Johnson,	Muldowney,	Toll,
Bullen,	Jones, Geo. E.,	Munley,	Tompkins,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Clapper,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Wall,
Connelly,	Kent,	Olsen,	Wallace,
Conner,	Kerlin,	Parlante,	Walsh,
Coyle,	Kline,	Peifly,	Wargo,
Curwood,	Kohl,	Peta,	Waterhouse,
Davis,	Kolankiewicz,	Petrosky,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson,	Mahan,	Sarraf,	Smith, C. C., Speaker
	Markley,	Schmidt,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, since this House has apparently lost its terminal facilities, at what time do they bring in the cots and the lunch?

The SPEAKER. The Chair hopes to complete the business of the House as soon as possible. The Chair would say probably in fifteen or twenty minutes.

BILL PASSED OVER

There being no objection

House Bill No. 1216, Printer's No. 326

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1224, as follows:

An Act to amend subsection (b) of Section 12 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) entitled "An act to further amend sections four three hundred one five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-

six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by changing and adding certain definitions providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals" by extending credit allowances to successors and assigns of employers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 12 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) entitled "An act to further amend sections four three hundred one five hundred one five hundred two and six hundred one point one of and to amend section seven hundred two of and to repeal section three hundred thirteen of and to add two new sections numbered three hundred two and three hundred three to the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by changing and adding certain definitions providing for modification of the manner in which employer contribution rates are determined and under certain conditions for the payment by employers of the costs of appeals" is hereby amended to read as follows

Section 12 * * * * *

(b) Notwithstanding any provision of this act or of the act amended by this act the excess of any contribution paid by any employer with respect to the calendar year one thousand nine hundred forty-nine over the amount determined by the application of his rate of contribution for such year computed under the provisions of section three hundred one hereof as herein amended shall be deemed to have been erroneously paid and shall be allowed by the department as a credit without interest in connection with subsequent payments of contributions by such employer his successors in interest or assigns

Section 2 The provisions of this act shall become effectice immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Waterhouse,
Conner,	Kline,	Peifly,	Walsh
Coyle,	Kohl,	Peta,	Wargo,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1225, as follows:..

An Act to amend Section 23 of the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1580) entitled "An act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and pre-

scribing penalties' by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments" by extending credit allowances to successors and assigns of employers

The General Assembly of the Comomnwealth of Pennsylvania hereby enacts as follows

Section 1 Section 23 of the act approved the twenty-ninth day of September one thousand nine hundred fifty-one (P. L. 1580) entitled "An act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments" is hereby amended to read as follows

Section 23 Notwithstanding any other provision of this act or of the act amended by this act the excess of any contribution paid by any employer with respect to the calendar year one thousand nine hundred fifty-one over the amount determined by the application of his rate of contribution for such year computed under the provisions of section three hundred one of this act as hereby amended shall be deemed to have been erroneously paid and shall be allowed by the department as a credit without interest in connection with subsequent payments of contributions by such employer his successors in interest or assigns

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Blair,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Bucchin,	Jim,	Moscrip,	Thompson,
Buchanan,	Johnson,	Muldowney,	Toll,
Bullen,	Jones, Geo. E.,	Munley,	Tompkins,
Capano,	Jones, Gran'le E.,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cioffi	Jones, T. H. W.,	Musto,	Varallo,
Clapper,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Wall,
Connelly,	Kent,	Olsen,	Wallace,
Conner,	Kerlin,	Parlante,	Walsh,
Coyle,	Kline,	Peifly,	Wargo,
Curwood,	Kohl,	Peta,	Waterhouse,
Davis,	Kolankiewicz,	Petrosky,	Weidner,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quiscnberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson,	Mahan,	Sarraf,	Smith, C. C., Speaker
	Markley,	Schmidt,	

NAYS—0

NOT VOTING—9

Boies,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1254, Printer's No. 300

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1257, as follows:

An Act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties

Whereas the Federal Government by amendment to the Social Security Act (Public Law 734 81st Congress) has provided that if State plans for old age assistance

aid to the blind and aid to the permanently and totally disabled include payments to individuals in private or public institutions State authorities shall be responsible for establishing and maintaining standards for such institutions effective as of the first day of July one thousand nine hundred fifty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The purpose of this act is to comply with Federal law and regulations particularly the Social Security amendments of one thousand nine hundred fifty and to promote the public health safety and welfare by providing for the establishment enforcement and application of standards for the safe and adequate care of individuals in institutions herein defined

It is not the purpose of this act to authorize the duplication of the work of any State department heretofore now or hereafter charged with responsibilities and authority with reference to standards herein authorized To prevent such duplication the Department of Welfare may call upon any other department board or commission of the Commonwealth of Pennsylvania to cooperate with it in the performance of its duties and responsibilities hereunder

Section 2 Definition As used in this act

"Institution" shall mean an establishment which furnishes (in single or multiple facilities) food and shelter to three or more persons unrelated to the proprietor and which provides some care or service which meet some need beyond the basic provisions of food shelter and laundry

"Institution" shall include but not be limited to the following homes for the aged and infirm nursing homes convalescent homes rehabilitation centers providing living-in facilties boarding homes for adults which provide personal care and services hospitals and infirmaries providing living-in arrangements

Section 3 Standards The Department of Welfare shall establish standards for the safe and adequate care of individuals not inconsistent with the laws of this Commonwealth and the rules and regulations of the various departments of the Commonwealth for all such institutions within this Commonwealth which standards shall make adequate and proper provisions for (a) fire protection (b) water supply and sewage disposal (c) sanitation (d) lighting and heating (e) ventilation (f) safety (g) equipment (h) bed space (i) keeping of records of identification of residents in the institution and their next of kin of medical care provided and all pertinent admission and discharge data and (j) humane care

In the establishment amendment or revocation of standards the Department of Welfare shall confer with an advisory committee of not less than seven or more than eleven persons to be appointed by the Secretary of Welfare with the consent of the Governor from representatives of recognized agencies and religious organizations conducting institutions and from the public at large The Secretary of Welfare or someone designated by him shall be the chairman of the advisory committee

Section 4 Inspection (a) The Department of Welfare shall be responsible for the maintenance of the standards herein provided and for that purpose the Department of Welfare or its duly authorized representatives shall have free and full access to the premises and records mentioned in Section 3 above of any such institution and full opportunity to interrogate or interview any officer employe or resident thereof

The Department of Welfare shall also be responsible for the coordination and cooperation in the application of these standards where any other department board or commission of the Commonwealth of Pennsylvania may be charged either by law or by regulation with the enforcement of any standards herein authorized and where any department board or commission of the Commonwealth of Pennsylvania is charged with responsibilities relative to the enforcement of standards the Department of Welfare may ask for and such other department board or commission shall furnish it with the proper reports and information in order that the Department of Welfare may be satisfied that the standards are being observed

When the Department of Welfare calls to the attention of any other department board or commission of the State government any failure to comply with the standards herein set forth such other department board or commission of the Commonwealth of Pennsylvania shall undertake the enforcement of the standards within their responsibility

(b) The Department of Welfare shall visit and inspect such institutions at least annually

Section 5 Violations Whenever the Department of Welfare shall upon inspection investigation or complaint find any violation in any institution of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by this act or by the department it shall give immediate written notice thereof to the officer or officers charged by law with or in any way having or exercising the control government or management of such institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceedings to enforce compliance therewith and the department may withhold any State money available for such institution until such officer or officers comply with such direction

Section 6 The provisions of this act shall become effective July 1 1953

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, this bill should pass. Unless it becomes a law by the end of the month, the state will lose Federal funds at the rate of $250,000 a month. There are no objections to the bill in its present form upon the part of any of the organizations that might be expected to object to a bill supervising and inspecting the subjects of the bill.

I would suggest that the House pass the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McGee,	Shotwell,
Auker,	Gutendorf,	McInroy,	Smith, W. B.,
Banker,	Guthrie,	McWherter,	Snider,
Barkdoll,	Hall,	Metz,	Spencer,
Baumunk,	Hamilton, R. K.,	Mihm,	Stank,
Bazin,	Hamilton, W. H.,	Mikula,	Stevenson,
Bear,	Harris,	Miller,	Stimmel,
Blair,	Haudenshield,	Mills,	Stone,
Bolton,	Helm,	Monroe,	Stoner,
Boory,	Hersch,	Moody,	Strausser,
Bower,	Hewitt,	Moore,	Sucher,
Breisch,	Hocker,	Moran,	Thomas,
Brown,	Jenkins,	Moscrip,	Thompson,
Bucchin,	Jim,	Muldowney,	Toll,
Buchanan,	Johnson,	Munley,	Tompkins,
Bullen,	Jones, Geo. E.,	Murray, J. J.,	Toomey,
Capano,	Jones, Gran'le E.	Murray, P. G.,	VanSant,
Cianfrani,	Jones, Paul F.,	Musto,	Varallo,
Cioffi,	Jones, T. H. W.,	Naugle,	Varner,
Clapper,	Jump,	Needham,	Vaughan,
Cochran,	Kamyk,	Ogilvie,	Wall,
Comer,	Keller,	Olsen,	Wallace,

Connelly,	Kent,	Parlante,	Walsh
Conner,	Kerlin,	Peifly,	Wargo,
Coyle,	Kline,	Peta,	Waterhouse,
Curwood,	Kohl,	Petrosky,	Weidner,
Davis,	Kolankiewicz,	Pfaff,	Wescott,
Dougherty,	Kornick,	Phillips,	Whalley,
Down,	Kratz,	Polaski,	Wheeler,
Downey,	Kromer,	Polen,	White,
DuBois,	Kubacki,	Poltenstein,	Whitenight,
Dunn,	Lafore,	Price,	Willaredt,
Erb,	Lederer,	Quisenberry,	Williams,
Ewing,	Leisey,	Ragot,	Wilt,
Farabaugh,	Leonard,	Readinger,	Wood,
Fenrich,	Leven,	Reagan,	Worley,
Ferster,	Light,	Reidenbach,	Yeakel,
Flack,	Limper,	Richter,	Yetzer,
Fleischman,	Lippincott,	Rosen,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C.,
Gibson,	Markley,	Schmidt,	Speaker
Gleason,	Mathews,	Schuster,	

NAYS—8

Breth,	Lopresti,	McDermit,	Taylor,
Filo,	Lovett,	Rovansek,	Welsh,

NOT VOTING—9

Boles,	Floyd	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1265, Printer's No. 366

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1294, as follows:

An Act to further amend the definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including in such definition certain vehicles used for snow removal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Tractor" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled as amended "An act relating to and regulating tractors and their operation providing for their registration by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fourteenth day of January one thousand nine hundred fifty-two (P. L. 1996) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Tractor" Every vehicle of the tractor type which is self-propelled designed and used for drawing other vehicles and not so constructed as to carry a load thereon either independently or any part of the weight of a vehicle or load so drawn and every vehicle with snow plow blade permanently attached and used exclusively for snow removal excepting road rollers ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code which cannot be used as motor vehicles the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Mathews,	Schuster,
Alexander,	Goodling,	Maxwell,	Schwartz,
Amarando,	Gramlich,	McCann,	Scott,
Andrews,	Greenwood,	McCormack,	Seyler,
Ashton,	Guss,	McCullough,	Shoemaker,
Auker,	Gutendorf,	McDermit,	Shotwell,
Banker,	Guthrie,	McGee,	Smith, W. B.,
Barkdoll,	Hall,	McInroy,	Snider,
Baumunk,	Hamilton, R. K.,	McWherter,	Spencer,
Bazin,	Hamilton, W. H.,	Metz,	Stank,
Bear,	Harris,	Mihm,	Stevenson,
Blair,	Haudenshield,	Mikula,	Stimmel,
Bolton,	Helm,	Miller,	Stone,
Boory,	Hersch,	Mills,	Stoner,
Bower,	Hewitt,	Monroe,	Strausser,
Breisch,	Hocker,	Moody,	Sucher,
Breth,	Jenkins,	Moore,	Taylor,
Brown,	Jim,	Moran,	Thomas,
Bucchin,	Johnson,	Moscrip,	Thompson,
Buchanan,	Jones, Geo. E.,	Muldowney,	Toll,
Bullen,	Jones, Gran'le E.	Munley,	Tompkins,
Capano,	Jones, Paul F.,	Murray, J. J.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Murray, P. G.,	VanSant,
Cioffi,	Jump,	Musto,	Varallo,
Clapper,	Kamyk,	Naugle,	Varner,
Cochran,	Keller,	Needham,	Vaughan,
Comer,	Kent,	Ogilvie,	Wall,
Connelly,	Kerlin,	Olsen,	Wallace,
Conner,	Kline,	Parlante,	Walsh
Coyle,	Kohl,	Peifly,	Wargo,
Curwood,	Kolankiewicz,	Peta,	Waterhouse,
Davis,	Kornick,	Petrosky,	Weidner,
Dougherty,	Kratz,	Pfaff,	Welsh,
Down,	Kromer,	Phillips,	Wescott,
Downey,	Kubacki,	Polaski,	Whalley,
DuBois,	Lafore,	Polen,	Wheeler,
Dunn,	Lederer,	Poltenstein,	White,
Erb,	Leisey,	Price,	Whitenight,

Ewing,	Leonard,	Quisenberry,	Willaredt,
Farabaugh,	Leven,	Ragot,	Williams,
Fenrich,	Light,	Readinger,	Wilt,
Ferster,	Limper,	Reagan,	Wood,
Filo,	Lippincott,	Reidenbach,	Worley,
Flack,	Lopresti,	Richter,	Yeakel,
Fleischman,	Lovett,	Rosen,	Yetzer,
Flynn,	Lutty,	Rovansek,	Young,
Frost,	Maguire,	Royer,	Zeitz,
Geer,	Mahan,	Rubin,	Ziegler,
Gibson,	Markley,	Sarraf,	Smith, C. C.,
Gleason,		Schmidt,	Speaker

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having vote in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1295, Printer's No. 353

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1298, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a certain tract of land consisting of .831 acre in the fifteenth ward of the City of Allentown Lehigh County Pennsylvania and providing for the disposition of the proceeds of the purchase moneys

On the question,

Will the House agree to the bill on third reading?

Mr. STIMMEL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, page 3, line 16 by striking out "tendencies" and inserting in lieu thereof "tenancies"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1302, as follows:

An Act providing for the observance of March fifteenth of each year as Charter Day

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor shall issue annually his Proclamation designating and setting apart March fifteenth as Charter Day and calling upon the people of the Commonwealth the public schools and other educational institutions and patriotic religious historical and veterans' arganizations to observe the anniversary of the execution of the Royal Charter by King Charles II on the fifteenth day of March one thousand six hundred eighty-one thereby creating the corporate legal existence of Pennsylvania with appropriate exercises and programs to the end that the establishment or birthday of Pennsylvania shall be commemorated each year.

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adam,	Gramlich,	McCormack,	Scott,
Alexander,	Greenwood,	McCullough,	Seyler,
Amarando,	Guss,	McDermit,	Shoemaker,
Andrews,	Gutendorf,	McGee,	Shotwell,
Auker,	Guthrie,	McInroy,	Smith, W. B.,
Banker,	Hall,	McWherter,	Snider,
Barkdoll,	Hamilton, R. K.,	Metz,	Spencer,
Baumunk,	Hamilton, W. H.,	Mihm,	Stank,
Bazin,	Harris,	Mikula,	Stevenson,
Bear,	Haudenshield,	Miller,	Stimmel,
Blair,	Helm,	Mills,	Stone,
Boory,	Hersch,	Monroe,	Stoner,
Bower,	Hewitt,	Moody,	Strausser,
Breisch,	Hocker,	Moore,	Sucher,
Breth,	Jenkins,	Moran,	Taylor,
Brown,	Jim,	Moscrip,	Thomas,
Bucchin,	Johnson,	Muldowney,	Thompson,
Buchanan,	Jones, Geo. E.,	Munley,	Toll,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Tompkins,
Capano,	Jones, Paul F.,	Murray, P. G.,	Toomey,
Cianfrani,	Jones, T. H. W.,	Musto,	VanSant,
Cioffi,	Jump,	Naugle,	Varallo,
Clapper,	Kamyk,	Needham,	Varner,
Cochran,	Keller,	Ogilvie,	Vaughan,
Comer,	Kent,	Olsen,	Wall,
Connelly,	Kline,	Parlante,	Wallace,
Conner,	Kohl,	Peifly,	Walsh
Coyle,	Kolankiewicz,	Peta,	Wargo,
Curwood,	Kornick,	Petrosky,	Waterhouse,
Davis,	Kratz,	Pfaff,	Weidner,
Dougherty,	Kromer,	Phillips,	Welsh,
Down,	Kubacki,	Polaski,	Wescott,
Downey,	Lafore,	Polen,	Whalley,
Dunn,	Lederer,	Poltenstein,	Wheeler,
Erb,	Leisey,	Price,	White,
Ewing,	Leonard,	Quisenberry,	Whitenight,
Farabaugh,	Leven,	Ragot,	Willaredt,
Fenrich,	Light,	Readinger,	Williams,
Ferster,	Limper,	Reagan,	Wilt,
Filo,	Lippincott,	Reidenbach,	Wood,
Flack,	Lopresti,	Richter,	Worley,
Fleischman,	Lovett,	Rosen,	Yeakel,
Flynn,	Lutty,	Rovansek,	Yetzer,
Frost,	Maguire,	Royer,	Young,
Geer,	Mahan,	Rubin,	Zeitz,
Gibson,	Markley,	Sarraf,	Ziegler,
Gleason,	Mathews,	Schmidt,	Smith, C. C.,
Glick,	Maxwell,	Schuster,	Speaker
Goodling,	McCann,	Schwartz,	

NAYS—4

Ashton,	Bolton,	DuBois.	Kerlin,

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper.			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1319, as follows:

An Act to further amend section 106 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing that notices may be published in one newspaper in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 106 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1057) is hereby further amended to read as follows

Section 106 Publication of Notices [Whenever] Except as otherwise provided in this section whenever under the provisions of this act notice is required to be given by newspaper publication in any county or in any municipal subdivision thereof such notice shall be published in at least two and not more than three newspapers of general circulation as defined in the "Newspaper Advertising Act" approved May 16 1929 (P. L. 1784) At least one of said newspapers shall represent the majority party and at least one shall represent the minority party if there be that many published within the limits of such county or municipal subdivision If there are not two such newspapers then publication shall be made in at least either one newspaper of general circulation representing the majority party or at least one newspaper of general circulation representing the minority party whichever is published in such county and at least one newspaper of general circulation representing the other party published in an adjacent county and circulating in such county or municipal subdivision in which such notice is required to be published [Provided however That if] If in any such county or in any municipal subdivision thereof there are at least three newspapers of general circulation published within the limits of such county or municipal subdivision the foregoing provisions [if] of this section shall be deemed complied with if publication shall be made in all of the said newspapers in the county or municipal subdivision notwithstanding that all such newspapers may represent either the majority party or the minority party If there is only one newspaper of general circulation published within the limits of any county the foregoing provisions of this section shall be deemed complied with if publication shall be made in such newspaper Whenever such notice relates to any matter or proceeding in court or to the sale of bonds or increase of indebtedness the same shall also be published in the legal newspaper if any in the proper county provided publication can be made therein on the same day or days as publication is made in newspapers of general circulation

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Gleason,	Mathews,	Schuster,
Alexander,	Glick,	Maxwell,	Schwartz,
Amarando,	Goodling,	McCann,	Scott,
Andrews,	Gramlich,	McCormack,	Seyler,
Ashton,	Greenwood,	McCullough,	Shoemaker,
Auker,	Guss,	McDermit,	Shotwell,
Banker,	Gutendorf,	McGee,	Smith, W. B.,
Barkdoll,	Guthrie,	McInroy,	Snider,
Baumunk,	Hall,	McWherter,	Spencer,
Bazin,	Hamilton, R. K.,	Metz,	Stank,
Bear,	Hamilton, W. H.,	Mihm,	Stevenson,
Blair,	Harris,	Mikula,	Stimmel,
Bolton,	Haudenshield,	Miller,	Stone,
Boory,	Helm,	Mills,	Stoner,
Bower,	Hersch,	Monroe,	Strausser,
Breisch,	Hewitt,	Moody,	Sucher,
Breth,	Hocker,	Moore,	Taylor,
Brown,	Jenkins,	Moran,	Thomas,
Bucchin,	Jim,	Moscrip,	Thompson,
Buchanan,	Johnson,	Muldowney,	Toll,
Bullen,	Jones, Geo. E.,	Munley,	Tompkins,
Capano,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Cianfrani,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cioffi,	Jones, T. H. W.,	Musto,	Varallo,
Clapper,	Jump,	Naugle,	Varner,
Cochran,	Kamyk,	Needham,	Vaughan,
Comer,	Keller,	Ogilvie,	Wall,
Connelly,	Kent,	Olsen,	Wallace,
Conner,	Kerlin,	Parlante,	Walsh
Coyle,	Kline,	Peifly,	Wargo,
Curwood,	Kohl,	Peta,	Weidner,
Davis,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Welsh,
Down,	Kratz,	Phillips,	Wescott,
Downey,	Kromer,	Polaski,	Whalley,
DuBois,	Kubacki,	Polen,	Wheeler,
Dunn,	Lafore,	Poltenstein,	White,
Erb,	Lederer,	Price,	Whitenight,
Ewing,	Leisey,	Quisenberry,	Willaredt,
Farabaugh,	Leonard,	Ragot,	Williams,
Fenrich,	Leven,	Readinger,	Wilt,
Ferster,	Light,	Reagan,	Wood,
Filo,	Limper,	Reidenbach,	Worley,
Flack,	Lippincott,	Richter,	Yeakel,
Fleischman,	Lopresti,	Rosen,	Yetzer,
Flynn,	Lovett,	Rovansek,	Young,
Frost,	Lutty,	Royer,	Zeitz,
Geer,	Maguire,	Rubin,	Ziegler,
Gibson	Mahan,	Sarraf,	Smith, C. C., Speaker
	Markley,	Schmidt,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1336, Printer's No. 291

was passed over at the request of Mr. BULLEN.

There being no objection
House Bill No. 1349, Printer's No. 336
was passed over at the request of Mr. SARRAF.

There being no objection
House Bill No. 1351, Printer's No. 337 and
House Bill No. 1352, Printer's No. 338
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1353, as follows:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section four article two of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 4 Upon adoption of this amendment the General Assembly shall meet at twelve o'clock noon on the first Tuesday of January of the year following such adoption and shall meet at such time annually thereafter and at other times when convened by the Governor At regular sessions convening in even-numbered years the General Assembly shall not enact any laws except laws raising revenue laws making appropriations and laws pertaining to subjects designated by proclamation of the Governor prior to the first Tuesday of January

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schmidt,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schuster,	
Gleason,	Mathews,	Schwartz,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1354, as follows:

An Act to reenact and further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting certain vehicles owned by and used exclusively by certain defense organizations from the payment of registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners

of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the seventeenth day of August one thousand nine hundred fifty-one (P. L. 1264) and the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (P. L. 1352) is hereby reenacted and further amended to read as follows

Section 722 Exemption from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registration to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post organization or combination of organizations of the American Legion Veterans of Foreign Wars Philippine Pacific War Veterans Navy Club of the United States United States Army Ambulance Corps Disabled American Veterans American Veterans of World War II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc Civil Air Patrol or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions No fee shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Hoggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No 1355, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 3.01 acres more or less of land situate in Collier Township Allegheny County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the Highest bidder the following described tract of land situate in the Township of Collier County of Allegheny and Commonwealth of Pennsylvania bounded and described as follows

Beginning at the corner common to land now of the Commonwealth of Pennsylvania (Woodville State Hospital) and land now of the Duquesne Light Company said point being distant north 77 degrees 25 minutes west a distance of 172.35 feet from west right of way line of a 60 foot highway (Legislative Route No 108) thence through lands of Commonwealth of Pennsylvania north 77 degrees 25 minutes west 200.0 feet to a point thence through same north 12 degrees 35 minutes east 648.75 feet to a point on line of land now or formerly of J Keblish et al thence by line of land now or formerly of J Keblish et al south 85 degrees 15 minutes east 15.69 feet thence by same south 80 degrees 00 minutes east 184.65 feet to a point on line of lands of the Duquesne Light Company thence by said

line south 12 degrees 35 minutes west 659.21 feet to a point at the place of beginning containing 3.01 acres be the same more or less

The conveyance shall be made under and subject nevertheless to all easements servitudes and rights of others including but not confined to streets roadways and rights of any telephone telegraph water electric gas or pipe line companies as well as under and subject nevertheless to any state or tenancies vested in third persons whether or not appearing of record for any portion of the said land or improvements erected thereon

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 All moneys received from the sale of the land herein authorized to be conveyed shall be paid into the General Fund of the State Treasury

Section 4 The tract of land herein authorized to be sold shall be sold free of any limitations or rights of reversion more particularly set forth in section one of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivsions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" and to such extent the provisions thereof are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adam,	Glick,	Maxwell,	Schwartz,
Alexander,	Goodling,	McCann,	Scott,
Amarando,	Gramlich,	McCormack,	Seyler,
Andrews,	Greenwood,	McCullough,	Shoemaker,
Ashton,	Guss,	McDermit,	Shotwell,
Auker,	Gutendorf,	McGee,	Smith, W. B.,
Banker,	Guthrie,	McInroy,	Snider,
Barkdoll,	Hall,	McWherter,	Spencer,
Baumunk,	Hamilton, R. K.,	Metz,	Stank,
Bazin,	Hamilton, W. H.,	Mihm,	Stevenson,
Bear,	Harris,	Mikula,	Stimmel,
Blair,	Haudenshield,	Miller,	Stone,
Bolton,	Helm,	Mills,	Stoner,
Boory,	Hersch,	Monroe,	Strausser,
Bower,	Hewitt,	Moody,	Sucher,
Breisch,	Hocker,	Moore,	Taylor,
Breth,	Jenkins,	Moran,	Thomas,
Brown,	Jim,	Moscrip,	Thompson,
Bucchin,	Johnson,	Muldowney,	Toll,
Buchanan,	Jones, Geo. E.,	Munley,	Tompkins,
Bullen,	Jones, Gran'le E.	Murray, J. J.,	Toomey,
Capano,	Jones, Paul F.,	Murray, P. G.,	VanSant,
Cianfrani,	Jones, T. H. W.,	Musto,	Varallo,
Cioffi,	Jump,	Naugle,	Varner,
Clapper,	Kamyk,	Needham,	Vaughan,
Cochran,	Keller,	Ogilvie,	Wall,
Comer,	Kent,	Olsen,	Wallace,
Connelly,	Kerlin,	Parlante,	Walsh
Conner,	Kline,	Peifly,	Wargo,
Coyle,	Kohl,	Peta,	Waterhouse,
Curwood,	Kolankiewicz,	Petrosky,	Weidner,
Davis,	Kornick,	Pfaff,	Welsh,
Dougherty,	Kratz,	Phillips,	Wescott,
Down,	Kromer,	Polaski,	Whalley,
Downey,	Kubacki,	Polen,	Wheeler,
DuBois,	Lafore,	Poltenstein,	White,
Dunn,	Lederer,	Price,	Whitenight,
Erb,	Leisey,	Quisenberry,	Willaredt,
Ewing,	Leonard,	Ragot,	Williams,
Farabaugh,	Leven,	Readinger,	Wilt,
Fenrich,	Light,	Reagan,	Wood,
Ferster,	Limper,	Reidenbach,	Worley,
Filo,	Lippincott,	Richter,	Yeakel,
Flack,	Lopresti,	Rosen,	Yetzer,
Fleischman,	Lovett,	Rovansek,	Young,
Flynn,	Lutty,	Royer,	Zeitz,
Frost,	Maguire,	Rubin,	Ziegler,
Geer,	Mahan,	Sarraf,	Smith, C. C., Speaker
Gibson,	Markley,	Schmidt,	
Gleason,	Mathews,	Schuster,	

NAYS—0

NOT VOTING—9

Boles,	Floyd,	Ide,	Verona,
Bomberger,	Haggard,	Pettigrew,	Watkins,
Cooper,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1359, entitled:

An Act to add clause (i) to section one thousand eight hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the duties and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the Department of Forests and Waters to grant certain privileges relative to land under its jurisdiction.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRETH. Mr. Speaker, is this the bill that refers to the storage of gas under state forest lands?

The SPEAKER. Will the gentleman from Potter, Mr. Hall, permit himself to be interrogated?

Mr. HALL. I shall, Mr. Speaker.

Mr. BRETH. Mr. Speaker, what does this bill do?

Mr. HALL. Mr. Speaker, for the information of the gentleman from Clearfield, this is a permissive bill. It allows or permits the Secretary of Forests and Waters to lease ground owned by the state for the storage of gas under such terms as the Secretary may deem to the advantage of the Commonwealth. That is the essence of the bill. It is a permissive bill.

Mr. BRETH. Mr. Speaker, in other words, the Secretary of the Commonwealth would have the regulatory features of any . . .

Mr. HALL. Mr. Speaker, it has nothing to do with the regulatory features of storage. He may lease any land owned by the state for the storage of gas. This has nothing to do with the so-called Kent controversy. There should be no heat engendered so far as that is concerned.

Mr. BRETH. Mr. Speaker, may I ask the gentleman if House Bill 1240 should happen to pass, would the Secretary of the Commonwealth be bound by the provisions in House Bill 1240?

Mr. HALL. Mr. Speaker, for the information of the gentleman and for the information of the House, I may point out that there are 250,000 acres of state-owned land in Potter County alone, none of which is under laid by coal, and a great deal of which is gas bearing and might be a potential field for gas storage. So that in no sense would it be affected by the passage or non-passage of House Mill 1240.

I deem this in the interest of the Commonwealth because it would permit the Secretary of Forests and Waters to lease such land as might not be in controversy for the storage of gas.

Mr. BRETH. Mr. Speaker, in the state of Pennsylvania there is 1,750,000 acres or perhaps more of state forest lands, and a great deal of it is underlaid with coal. There is a connection between this bill and House Bill 1240, and I would request the Speaker to pass it over temporarily.

The SPEAKER. Does the gentleman from Potter, Mr. Hall, desire the bill to be passed over? He has been requested by the gentleman from Clearfield, Mr. Breth, to pass this bill over temporarily.

Mr. HALL. I have no objections whatever, Mr. Speaker, to this bill's being passed over temporarily. We can adjust our thinking on this bill because I do not think, for the information of the House, that it bears on this question of the regulatory features of House Bill 1240 in any sense.

Mr. ANDREWS. Mr. Speaker, it is a very good bill.

Mr. LOVETT. Mr. Speaker, I am not so sure that I want to take my leader's word on that. He and I do not always agree.

Would there be any possibility, Mr. Hall, later on that we may be able to sell the oil lands or give them away to somebody after a while, the gas lands that we now have, would that be possible under this bill?

Mr. HALL. For the information of the gentleman, Mr. Speaker, this bill specifically states that the Secretary of Forests and Waters may lease land under his control or the control of the Department of Forests and Waters for the storage of gas, not for sale. We could read most anything into it, but as the bill is now written I fail to see where we can construe such a meaning in the bill.

Mr. LOVETT. Mr. Speaker, would there be a possibility that later on the particular county might say this land does not belong to the state. There may be an argument here whereby when that gas gets under there and we have stored it there and it is something valuable, they might want to give it away to someone.

Mr. HALL. Mr. Speaker, I feel that it is not my province to be drawn into a discussion of the title to this land. As fas as that is concerned, that could be determined by other action other than what I might say or what the gentleman from Westmoreland might say. I believe in passing this bill over so that we may have a meeting of minds, I have gone to reasonable lengths. I will be glad to discuss it with the gentleman.

Mr. LOVETT. I thank the gentleman, Mr. Speaker. I am very glad that he will pass it over. We may be able to get straightened out.

BILL PASSED OVER

There being no objection

House Bill No. 1359, Printer's No. 342

was passed over at the request of Mr. HALL.

BILLS PASSED OVER

The SPEAKER. For the information of the Members beginning on page 41 of the calendar, all the bills are Senate bills and if there is no objection, the Chair will pass over the remainder of the calendar. The Chair hears none and the bills are passed over.

RESOLUTIONS

Mr. WILBUR H. HAMILTON offered a resolution which was filed with the Clerk.

Mr. MURRAY offered a resolution which was filed with the Clerk.

PERMISSION TO ADDRESS HOUSE

Mr. KENT asked and obtained unanimous consent to address the House.

Mr. Speaker, it has been brought to my attention that the Speaker of this House has been requested by the Industrial Safety Conference of the state of Pennsylvania for permission to use the Hall of this House, together with the new House Caucus Room, on Wednesday and Thursday, September 16th and September 17th, for their panel conferences as they have done in the past.

I would like to suggest, Mr. Speaker, that the request of the Industrial Safety Conference be granted and that we grant the use of the Hall of the House together with the Caucus Room for their use on those dates.

The SPEAKER. Does the gentleman from Cambria have any fear that we might be in Session at that time?

Mr. ANDREWS. Mr. Speaker, in all seriousness I would suggest that no such arrangements be made at least until after tomorrow.

The SPEAKER. The Chair would ask the gentleman from Crawford whether he will withdraw his request until after tomorrow?

Mr. KENT. I will, Mr. Speaker.

COMMITTEE MEETINGS

GAME AND FORESTRY. Mr. Goodling, Chairman, Room 331, Wednesday, June 10, at 10:45 a. m. DST.

The Philadelphia Democratic Delegation will caucus at 12:30 DST, immediately prior to convening June 10, in the Old House Caucus Room.

ADJOURNMENT

Mrs. MONROE. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 10, 1953 at 12:00 noon EST.

The motion was agreed to, and (at 10:25 p. m. EST) the House adjourned.

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